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FACILITY NEEDS OF THE MONTANA LAW ENFORCEMENT ACADEMY

Joint Interim Subcommittee on the Law Enforcement Academy

A Report to the 50th Legislature

April 1987

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by the

Joint Interim Subcommittee
on the Law Enforcement Academy

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HOUSE JOINT RESOLUTION NO. 50

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY OF THE ISSUES RELATED TO THE APPROPRIATE PLACEMENT OF THE LAW ENFORCEMENT ACADEMY AND THE RELATED COSTS.

WHEREAS, the Attorney General has identified a need to provide improved facilities for the Montana Law Enforcement Academy; and

WHEREAS, persons from several communities around the state have expressed interest in having the Law Enforcement Academy moved to their area; and

WHEREAS, in several instances communities have shown that there are buildings and other facilities and services available at what seems to be a reasonable cost, making the possibility of moving the Academy seem attractive; and

WHEREAS, the Legislature has not had available to it a comprehensive analysis of the alternative sites to provide a comparison of all the facilities and services needed by the Academy and the relative costs of providing for those needs and services at the alternative locations proposed.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

(1) That an appropriate interim committee be assigned to study the issues associated with the location of the Montana Law Enforcement Academy.

(2) That the study include at least the following:

(a) an assessment of the facility and service needs of the Academy; and

(b) an assessment of all costs of alternate sites, including the costs of the required physical facilities and the required academic services.

(3) That the committee report its findings to the 50th Legislature.

ACKNOWLEDGMENTS

The Joint Interim Subcommittee on the Law Enforcement Academy would like to thank Tom O'Connell, Administrator of the Architecture and Engineering Division of the Department of Administration; Scott Seacat, Legislative Auditor; and their staffs for the assistance they provided to the Subcommittee in completing this interim study.

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LC 280 AN ACT TO APPROPRIATE MONEY TO EXERCISE THE PURCHASE OPTION FOR FACILITIES IN BOZEMAN CURRENTLY HOUSING THE MONTANA LAW ENFORCEMENT ACADEMY, AND TO PROVIDE FOR DISPOSITION OF THE FACILITIES SHOULD LEGISLATION BE ENACTED TO RELOCATE THE ACADEMY.

INTRODUCTION

This is the final report of the Joint Interim Subcommittee on the Law Enforcement Academy. The Subcommittee was established by House Joint Resolution No. 50 (HJR 50) to study the issues associated with location of the Montana Law Enforcement Academy. HJR 50 specifically directed the Subcommittee to include in its study: (1) an assessment of the facility and service needs of the Academy, and (2) an evaluation of all costs for alternate sites, including the costs of required physical facilities and academic services.

This report presents the results of the study completed by the Interim Subcommittee. The report includes the Subcommittee's findings and recommendations to the 50th Legislature and contains information to assist the Legislature in addressing the facility needs of the Montana Law Enforcement Academy.

SUMMARY OF FINDINGS

The Joint Interim Subcommittee on the Law Enforcement Academy finds that:

(1) The present facilities in Bozeman are grossly inadequate and do not meet the needs of the Montana Law Enforcement Academy.

(2) The current lease agreement for use of the Academy facilities in Bozeman is not cost beneficial to the State of Montana.

(3) It is more economical to purchase the facilities in Bozeman than to continue the present lease arrangement.

(4) No matter what decision is made for a permanent facility to house the Academy, purchase of the facilities in Bozeman is advisable.

(5) There is a need for adequate, permanent, state-owned facilities to house the Montana Law Enforcement Academy.

(6) Facilities for the Montana Law Enforcement Academy should meet specific building requirements to provide improved training for law enforcement officers in this state.

(7) Renovation of the existing facilities in Bozeman is not an acceptable alternative for providing permanent facilities for the Academy.

(8) The construction of a new law enforcement academy facility is unjustified.

(9) The state should utilize existing adequate facilities to house the Montana Law Enforcement Academy.

(10) The proposal to renovate and construct facilities at Western Montana College offers the best alternative for housing the Academy.

(11) The facility needs of the Academy -- not location -- should be the main consideration in evaluating alternative proposals for the Academy.

(12) The Legislature should not postpone or delay a decision regarding permanent facilities to house the Montana Law Enforcement Academy.

SUMMARY OF RECOMMENDATIONS

The Joint Interim Subcommittee on the Law Enforcement Academy recommends that the 50th Legislature enact into law these bills:

LC 279	An act to locate the Montana Law Enforcement Academy at Western Montana College in Dillon; to authorize and consent to a capital building project at Western Montana College for the construction, renovation, equipping, and furnishing of facilities to serve the Academy; and to require lease of college facilities for use by the Montana Law Enforcement Academy.
LC 280	An act to appropriate money to exercise the purchase option for facilities in Bozeman currently housing the Montana Law Enforcement Academy, and to provide for disposition of the facilities should legislation be enacted to relocate the Academy.

BACKGROUND

This study has its origins in events that began in 1977.

Founded in 1959, the Montana Law Enforcement Academy, until 1978, was housed in Colter Hall on the main campus of Montana State University (MSU) in Bozeman. On October 28, 1977, the state Board of Regents, citing heavy enrollment and overcrowding at MSU, enacted several resolutions requesting that the Academy vacate campus facilities and move to Western Montana College in Dillon.

At the time, the Legislature was not in session and the Attorney General was faced with severe time constraints to relocate the Academy. After reviewing proposals to move the Academy to Dillon and other alternate sites, the Attorney General concluded that: (1) while he did not wish to undermine the authority of the Board of Regents by remaining at MSU, it was within the authority of the Attorney General to locate the Academy at one of the units of the university system; (2) the costs of moving the Academy to another location were beyond the budget of the Department of Justice; (3) the quality of services provided would be affected by a move to another location; (4) moving the Academy prior to the legislative session eliminated some options for the Legislature to combine Department of Justice facilities (i.e., the Forensic Science Division and the Academy); and (5) therefore, the Academy should remain in Bozeman.

Thus, in November 1977, the Attorney General began to search for adequate facilities in Bozeman to serve as temporary housing for the Academy. Between December 1977 and March 1978, the Attorney General and the Department of Administration examined various facility alternatives, finally developing a project outline for a modular concept. In March 1978, the Attorney General solicited proposals for the design, construction, and leasing of a facility, based on the modular concept. Of the four proposals received in April 1978, the proposal of Donald Cape at Bozeman was considered the most reasonable.

After requesting and being granted an extension in the Academy deadline to vacate the buildings at MSU, which changed the deadline from July 1 to mid-September 1978, the Attorney General, in May 1978, advised the Legislative Finance Committee of his plans to obtain facilities for the Academy. The Attorney General informed the Committee that the decision to utilize modular housing was viewed as a temporary solution to the facility needs of the Academy and that he would continue to examine alternatives for a permanent facility for the Academy.

Subsequently, in July 1978, the Attorney General entered into a lease agreement for the rental of eight 28' x 70' modular units that now constitute the Montana Law Enforcement Academy in Bozeman. The lease terminates on October 1, 1988, unless it is renewed. The Attorney General has the option to extend the lease for an additional period of five years in one-year increments. In July 1978, the Attorney General also entered into a separate option agreement to purchase the facilities.

Finally, for the purpose of obtaining a site for location of the facilities, the Attorney General negotiated an interlocal agreement with Gallatin County for use of a portion of land by the Academy. The property is county land and there is no charge to the state for its use.

As a consequence of these events and the decisions made by the Attorney General, the Montana Law Enforcement Academy has been without a permanent home and has incurred expensive lease costs for use of facilities that do not meet the Academy's needs. An effort to establish adequate facilities for the Academy officially began in 1983 when the Department of Justice submitted a request for a new facility as part of the long-range building program.

The 1983 Legislature did not approve the request, although it was becoming increasingly apparent that the existing facility was constructed to "residential quality" and simply could not continue to serve the needs of the Academy.

Thus, in 1985, the Attorney General submitted another request, this time for the construction of a law enforcement academy estimated to cost $6.5-$7.4 million. In addition, two bills were introduced to relocate the Academy. One bill, House Bill No. 508 sponsored by Representative Hand, would have moved the Montana Law Enforcement Academy and its ancillary services from their present locations to the site of the old Barrett Hospital near Western Montana College in Dillon.

The second bill, House Bill No. 939 introduced by Representative Ernst, would have required location of the Montana Law Enforcement Academy at the former Big Sky Bible College near Lewistown. Both bills were disapproved by the House Appropriations Committee, as was the Attorney General's building request, leading to introduction of HJR 50 providing for an interim study on location of the Montana Law Enforcement Academy.

MAJOR STUDY FINDINGS

Finding #1

The present facilities in Bozeman are grossly inadequate and do not meet the needs of the Montana Law Enforcement Academy.

Discussion

The facilities currently housing the Montana Law Enforcement Academy are seriously inadequate. The facilities consist of eight 28' x 70' modular units of mobile home type construction. By design, the facilities are not suitable for long-term institutional use due to their light construction. While the facilities are generally in good structural condition, they have suffered wear and tear and require expensive maintenance, repair, and refurnishing.

There are other inadequacies in the existing facilities. The Subcommittee finds these major deficiencies: (1) the conditions in the dormitories are unsatisfactory because of problems that include inadequate bathroom and shower facilities; insufficient hot water or, at times, no hot water at all; low light levels in the dorm rooms for study purposes; and high noise levels because of the thin construction of building walls; (2) the classrooms have inadequate air conditioning in the summer months; and (3) total classroom, dormitory, and office space is too small to provide comfortable work and living conditions at the Academy.

The main problem, however, is that the current facilities are inadequate in size and lack the basic design to support needed training programs. As such, the current facilities do not meet the needs of the Academy.

The existing facilities in Bozeman do not meet the Academy's needs in the following respects: (1) the facilities have no firing range; (2) the facilities lack a crime scene lab, a film and print room, seminar room, reference library, and an adequate indoor physical training facility; and (3) the classrooms and dormitories are designed to serve 64 resident trainees, which is too small to accommodate the demand for training.

Based upon the present training needs of the Academy, there is a need for a facility sufficient in capacity to serve 100 law enforcement officers. In addition, there is a need for adequate physical facilities to support an upgraded law enforcement training program, including firearms training and courses in officer survival, tactical response training, police defensive tactics, physical training, crime scene investigation, field evidence collection, and criminal investigation procedure. Such program is necessary to assure proper education and training of Montana police officers. Because the existing facilities lack the basic design to support needed training, they do not meet the needs of the Montana Law Enforcement Academy.

Finding #2

The current lease agreement for use of the Academy facilities in Bozeman is not cost beneficial to the State of Montana.

Discussion

The current facility lease is costly and not advantageous to the State of Montana. Under the existing lease for the facilities, the rent for the Academy has climbed 38% in 8 years, rising from the original $107,000 in 1978 to a total of $147,678 annually as of October 1, 1986.

The reason for this increase in lease costs is an escalator clause that is contained in the lease. The escalator clause provides an automatic increase in rent every two years over the lease period to cover expected increases in the lessor's nonfixed costs. These costs include maintenance, utilities, janitorial services, water and sewer costs, insurance, taxes, and linen service. The percentage increase in nonfixed costs is computed based upon the "all items" column of the revised Consumer Price Index for the city of Denver. The percentage increase multiplied by $55,000 (the agreed estimate of the lessor's initial annual nonfixed costs) is the total dollar increase that is to be added to the fixed annual payment of $107,000. In addition, if the actual costs of utilities, taxes, and insurance surpass the increase based on the Consumer Price Index, the amount in excess is added to the adjusted increase in rent computed by using the price index alone.

Another unfavorable provision of the lease provides for payment of rent in quarterly installments paid in advance to coincide with the lessor's loan payments to the bank. Generally, state leases are paid in monthly installments. In fact, section 18-3-107, MCA, which relates to lease agreements with an option to purchase, prescribes monthly payments of rent. Although the statutes do not expressly prohibit quarterly prepayments of rent, the law indicates that monthly payments are the acceptable method for payment of rent. The effect of these advance quarterly installments is that the state is losing approximately $1,015 per year in simple, noncompounded interest income based upon the state's Short-Term Investment Pool rate of return of 8.25% during the last fiscal year.

The particular cost disadvantage to the state under the present lease for the Academy prompted a review of the lease agreement by the Legislative Auditor in 1982. As a result of that review, the Legislative Auditor recommended that the Attorney General exercise a purchase option for the leased buildings, thereby terminating the lease. After comparing the costs of purchasing the buildings versus the cost of leasing, the Legislative Auditor concluded that if the Academy were to remain in the same facilities for six years, it would be more economical for the state to purchase the buildings. Based upon the Legislative Auditor's cost analysis, the purchase would have resulted in a savings to the state of at least $413,000 in 1981 dollars.

Clearly, the current lease for the Academy facilities is not cost effective and is not in the best interests of the State of Montana. Why the Attorney General would sign such a lease is beyond comprehension.

Finding #3

It is more economical to purchase the facilities in Bozeman than to continue the present lease arrangement.

Discussion

Since the Attorney General has failed to exercise the option to purchase the facilities in Bozeman, the Subcommittee has reviewed the lease and purchase option to determine if the purchase option is still a viable alternative. The Subcommittee compared the costs of purchasing versus the cost of continuing the lease for the existing Academy buildings. This comparison included purchase costs, lease payments, operating costs, and maintenance. Based upon a review of the costs, the Subcommittee concludes that if the Academy remains in the same facility until the end of the lease, it would be more economical to purchase the buildings. A purchase would result in savings of at least $68,210 in today's dollars.

In addition, the Subcommittee compared the actual cash outlay necessary to fulfill the requirements of the lease to its conclusion with the cash outlay plus the value of the asset if purchased. Our estimates indicate the advantage in actual cash outlay plus the value of the asset to buy is $125,139, computed as follows:

Cash Outlay to Purchase Plus Value of the Asset

Purchase price (April 1987)	$295,033
Cost to restore site	40,000
Operating costs through October 1, 1988	82,500
Less residual sale value of asset at $40,000 per building	320,000
	$ 97,533

Advantage to Purchase

Cash outlay for lease	$222,672
Less cash outlay plus asset for purchase	97,533
Advantage to buy	$125,139

Thus, the state would benefit by exercising the option to purchase the facilities and terminating the lease. Therefore, the Subcommittee recommends purchase of the facilities currently housing the Academy in Bozeman.

Finding #4

No matter what decision is made for a permanent facility to house the Academy, purchase of the facilities in Bozeman is advisable.

Discussion

The Subcommittee believes that exercise of the option to purchase the facilities in Bozeman is necessary regardless what decision is made for location of the Academy. We have already demonstrated that it would be more economical to purchase the facilities than to continue the present lease agreement for use of the Academy buildings. Indeed, purchase of the buildings has been advised for some time now and is overdue. Had the Attorney General exercised the purchase option as recommended by the Legislative Auditor in 1982, the state would have saved at least $413,000 over the term of the present lease.

However, the state can still reap a $68,210 present value savings if the purchase takes place this spring. On the other hand, without the purchase, there will be no cost savings and the state will have paid approximately $1.4 million without obtaining the asset value of the property it has leased.

Worse still, if the 50th Legislature fails to take action to relocate the Academy and does not authorize purchase of the Bozeman facilities, then the state will lose roughly $150,000 annually in unnecessary lease payments after October 1, 1988, when the current Academy lease expires.

Besides the financial considerations that justify the purchase, there are other reasons that purchase of the facilities is advisable, which are stated below as follows:

(1) The purchase would result in cost effective housing for the Montana Law Enforcement Academy if the Legislature incorrectly decides to wait another biennium before making a decision for permanent location of the Academy.

(2) If the Legislature approves legislation to relocate the Academy, the purchase would provide adequate, temporary housing during the

period that construction is underway at the new location for the Academy.

(3) Ownership will provide permanent facilities for the Academy should no agreement ever be reached concerning the need for facilities to house the Montana Law Enforcement Academy.

Therefore, the Subcommittee urges action this year for the purchase of the facilities in Bozeman no matter what other decision is made regarding permanent location of the state law enforcement academy.

Finding #5

There is a need for adequate, permanent, state-owned facilities to house the Montana Law Enforcement Academy.

Discussion

The Subcommittee believes that the Legislature should provide adequate, permanent, state-owned facilities to house the Montana Law Enforcement Academy. We hold this belief based upon the following considerations:

(1) **The current facilities in Bozeman are inadequate and do not meet the needs of the Academy.**

As previously mentioned, the modular buildings presently housing the Academy poorly serve the state and lack the basic design to support needed law enforcement training programs. In order to provide proper programs for the education and training of Montana law enforcement officers, the Academy requires adequate physical facilities to support its training functions.

(2) **The existing facilities are temporary in nature and are not suitable for long-term institutional use.**

This is evident by the fact that the facilities are modular, mobile-home type structures leased to the state. By their very design, such facilities cannot be expected to serve with the same efficiency as one that was planned and built with long-range goals in mind.

The temporary character of the facilities is also evident in the terms of the contractual agreements covering rental of the modular buildings and use of the land upon which the buildings are situated. Both agreements provide for only temporary location of the Academy at the present site in Bozeman. The lease for rental of the buildings expires on October 1, 1988. Similarly, the agreement with Gallatin County for use of the property terminates July 14, 1988. Prior to expiration of these agreements, a decision must be made to provide more permanent facilities for the Academy.

(3) **Leasing facilities from private parties is never cost effective over the long term and, in the past, has led to private interests exploiting the state for financial gain.**

Generally, leasing leads to ever rising costs for operation of a state facility. It is common that the lessor will seek ever higher rent from the state as time passes on, usually in an effort of the lessor to cover the costs of inflation or because of changes in market conditions. Moreover, when higher rent is demanded by a private lessor, the state is asked not only to pay the lessor's increased costs, but also the lessor's profit margin.

Leasing from private parties also means that improvements to the facilities must be approved by the lessor and will come only at costs higher than for improvements made to a facility owned by the state. The cost of improvements to a leased facility will be higher because the private lessor often requires compensation in order to perform the improvements, which virtually always will materialize in the form of higher rent.

As can be seen, the profit motivation of the private lessor underlies his relationship to the tenant. It is this interest in private profit that has led to exploitation of the state in past relations with certain private lessors.

(4) State ownership provides benefits that cannot be obtained through leasing of privately owned facilities.

State ownership provides permanency and control of the facilities. A lease with a private lessor does not afford permanency. Indeed, a lease can be terminated at the end of the lease period, and if it is not renewed, then new facilities must be located.

A lease also denies the lessee exercise of control over the leased property of the private owner. Thus, the state is not free to enjoy use of the facilities as it would if it were the owner.

Finally, in the long run, state ownership makes better use of tax dollars. Leasing is never more cost effective than ownership. And with ownership, there is the value of the asset that is never obtained through leasing.

Finding #6

Facilities for the Montana Law Enforcement Academy should meet specific building requirements to provide improved training for law enforcement officers in this state.

Discussion

The Subcommittee has studied the various training functions within the Montana Law Enforcement Academy, and has determined specific facility needs for the Academy. These needs include:

(1) The Montana Law Enforcement Academy requires a facility designed to accommodate 100 resident trainees.

(2) In order to meet the functional needs of the Academy, the facilities should contain the following building components:

   (a) Administration component: Includes lobby and entrance way, receptionist area, administrative offices, faculty offices, central secretarial area, staff conference room, staff lounge, photocopying room, and staff restroom facilities. Total minimum assignable space: 5,105 square feet.

(b) Classroom component: Includes two 40-student classrooms, one 64-student classroom, one 20-student classroom, a crime scene lab, seminar room, library, and equipment storage area. Total minimum assignable space: 7,060 square feet.

(c) Training component: Includes a multipurpose room for physical training and self-defense, arrest, and nightstick training; graduation ceremonies; a weight and exercise room; locker rooms; physical education office; and a 12-lane indoor firing range. Total minimum assignable space: 12,828 square feet.

(d) Dormitory component: Includes 50 double occupancy rooms, TV room, game room, student laundry facilities, housekeeping area, and a linen storage and distribution center. Total minimum assignable space: 17,400 square feet.

(e) Support component: Includes 4-bay garage, receiving/loading dock, ammunition bunker, generator and mechanical room, and general storage. Total minimum assignable space: 1,680 square feet.

(f) Kitchen/dining component: Includes dining room, food service area, food preparation area, storage, and dishwashing area. Total minimum assignable space: 3,920 square feet.

TOTAL ASSIGNABLE SPACE: 47,993 SQUARE FEET

TOTAL GROSS BUILDING REQUIREMENT: 59,826 SQUARE FEET

(3) In addition to the functional area requirements, the facility should meet the general architectural program requirements which appear in Appendix A.

The Subcommittee finds that these specific building requirements are necessary to meet the demands for training and to support an upgraded law enforcement training program at the Academy. Moreover, a facility of the type recommended by the Subcommittee would enable the Montana Law Enforcement Academy to offer education and training programs of a quality and level of training that cannot be provided at the current time due to the lack of adequate facilities.

The Subcommittee is convinced that due to inadequate facilities, law enforcement training has been deficient in the areas of: basic training, the intermediate course, the advanced course, the supervisory course, management and administrative courses, and in the skills and knowledge courses, including the courses on officer defensive tactics, physical training, crime scene investigation, field evidence collection, criminal investigation procedure, firearms training, officer survival, tactical response training, and other specialized courses.

For example, due to the lack of an indoor firing range, the Montana Law Enforcement Academy can presently offer only the mandatory firearms training course and then only by conducting such training at Fort Harrison in Helena. Thus, training in this area is extremely limited and insufficient to assure protection of the public and the safety of law enforcement officers.

Furthermore, because the Academy lacks a crime scene lab and a photo/print room, training is inadequate in crime scene investigation and evidence handling. There is reason to believe that such inadequate training has contributed to the number of documented cases in which criminal evidence has been handled improperly by law enforcement personnel, leading to failed criminal prosecution and appeals proceedings in this state.

Therefore, the Subcommittee finds that facilities for the Montana Law Enforcement Academy should meet the specific facility requirements recommended herein in order to provide improved training for Montana law enforcement officers.

Finding #7

Renovation of the existing facilities in Bozeman is not an acceptable alternative for providing permanent facilities for the Academy.

Discussion

It would be a mistake to invest money into renovation of the existing facilities in order to provide permanent facilities for the Academy. The facilities, being of modular design and light-weight construction, are inherently inadequate for use as permanent facilities and were never intended for the type of heavy institutional use they now receive. Upgrading the facilities will not bring about buildings of the quality or value that would be achieved by renovating or constructing structures made of brick, mortar, and steel.

Moreover, the cost of renovating the facilities is excessive compared to other alternatives. This cost amounts to $1.6 million, which is unacceptable given the nature of the expense, even if the state were to have ownership by exercising the purchase option. If the current lessor were to renovate the facilities and lease them back to the state, annual lease costs would be $357,676, or 210% above current lease costs. Renovation of the existing facilities clearly is not a viable alternative for providing facilities to house the Montana Law Enforcement Academy.

Finding #8

The construction of a new law enforcement academy facility is unjustified.

Discussion

The Subcommittee finds that the construction of a new Academy facility is unjustified for the following reasons:

(1) The costs associated with the construction of a new facility are significantly greater than the costs of using renovated facilities.

According to estimates developed by the Legislative Auditor using a standard method of analysis, the following are the 20-year costs for new facilities as compared with the three final proposals for use of existing buildings:

(1)	Western Montana College	$11,643,199
(2)	Great Falls	$16,702,399
(3)	Lewistown	$16,912,323
(4)	Attorney General's new facility proposal	$18,721,031
(5)	100-bed facility constructed per the Architecture and Engineering Division program design	$20,124,436

As can be seen, the difference in costs between the Western Montana College proposal and the Attorney General's proposal is more than $7 million. In addition, the difference between the Western Montana College proposal and the 100-bed facility, built according to the Architecture and Engineering Division's specifications, amounts to almost $8.5 million. Clearly, the cost differences are significant in either case when compared to the Western Montana College proposal. Moreover, under no circumstances is a new facility the least expensive alternative among the other options available.

(2) The raising of new revenue to finance the construction of a new facility would be inappropriate at this time, when the state is primarily concerned with balancing the budget of state government and when the citizens of the state do not appear to support an increase in taxes or other state revenues.

The Subcommittee has examined a proposal of the Attorney General to finance the construction of a new law enforcement academy building by increasing criminal penalties and motor vehicle registration fees, among other measures. According to the Department of Justice, the proposal could generate as much as $1.8 million per year to support funding for new construction and for law enforcement training programs.

Increasing state revenues to finance new construction is inappropriate because: (1) new revenue should be used to balance the state budget; and (2) public opinion generally does not support an increase in state revenue in the next biennium.

The main issue of the 1987 legislative session is the problem of balancing the state budget. While the magnitude of the state's budget problems are not yet fully known, one thing is certain -- the state will experience a serious budget deficit at the end of the current biennium as well as in the next biennium unless current spending is reduced or new revenue is produced.

An increase in state revenue is not supported by the citizens of the state. According to the Montana Poll, conducted by the Bureau of Business and Economic Research at the University of Montana, public opinion does not favor an increase in state revenues, if even to balance the state budget. In a poll published in the summer of 1986, only 31% of the Montana public supported the idea of increasing state revenues by raising taxes and other revenues. Since the time the poll was taken, voters have expressed their dissatisfaction with state taxes, as evidenced by the election results in the case of CI 27 and CI 105.

In light of the current budget problems and the negative public sentiment on taxation, it would be inappropriate, if not simply unwise, to raise revenue to finance new construction. And if new revenue could be raised, the priorities of the Legislature should dictate that such revenue be used to balance the state budget, and not to fund a new expensive building program.

(3) **The construction of a new facility is unwarranted because there are existing state-owned buildings available that could provide adequate facilities to house the Montana Law Enforcement Academy.**

The state of Montana currently owns facilities at Western Montana College that are underutilized and could be converted for use as a law enforcement academy. With some renovation and construction, these existing, state-owned buildings would provide a new state-of-the-art indoor firing range, improved classroom and dormitory facilities, and other buildings to meet the needs of the Academy. Moreover, such facilities would be available at a cost to the state much lower than the cost of new construction.

Therefore, the construction of new state buildings is unjustified.

Finding #9

The state should utilize existing adequate facilities to house the Montana Law Enforcement Academy.

Discussion

The Subcommittee finds that existing adequate facilities should be used to house the Montana Law Enforcement Academy. Communities have shown in several instances that there are buildings and other facilities that could be renovated at reasonable costs to provide permanent housing for the Academy. The relative costs of using these facilities is more favorable than the cost of new construction.

Moreover, in the case of the Western Montana College proposal, the state would obtain improved facilities for the Academy without contributing to the number of state institutions in Montana. Rather, the state would make use of underutilized state buildings, thereby making good use of available state resources.

Finally, the Subcommittee recognizes that the 1985 Legislature expressly directed the it to study use of existing facilities to house the Montana Law Enforcement Academy. In carrying out this directive, we have identified facilities available in several communities that would provide affordable, adequate housing to serve the needs of the Academy. Therefore, we find that the state should utilize existing, adequate buildings to provide housing for the Montana Law Enforcement Academy.

Finding #10

The proposal to renovate and construct facilities at Western Montana College offers the best alternative for housing the Academy.

Discussion

The Subcommittee has examined a number of proposals for location of the Montana Law Enforcement Academy. Altogether, 23 parties from 18 different communities expressed a desire to relocate the Academy to their community. After providing all parties written instructions for submitting proposals, the Subcommittee received 16 written proposals from various communities, including Anaconda, Billings, Bozeman, Dillon, Glasgow, Great Falls, Helena, Lewistown, Miles City, Missoula, Opheim, and Twin Bridges.

From this list of proposals, the Subcommittee rejected six as being nonresponsive and not meeting proposal requirements. From the remaining 10, the Subcommittee selected three for final study, including site inspection. These final three consisted of these proposals:

(1) **The Western Montana College proposal to renovate and construct facilities at the college campus in Dillon.**

Under this proposal, the college would lease facilities to the Academy at an annual rent of $266,000. The facilities would include Clark Hall (a recently vacated men's dormitory), an indoor training area in the Physical Education Complex, and classrooms in the Office and Classroom Building on the main campus. A portion of the Carson Library would be dedicated exclusively for use by the Academy. Other classrooms and facilities would be available by coordinating schedules with the college. In addition, an indoor firing range would be constructed as a freestanding facility directly adjacent to Clark Hall. The proposal also includes improvements to nearby parking lots.

Cost of renovation and construction:	$ 992,759
First-year costs:	$ 390,999
Twenty-year costs:	$11,643,199

(2) The Great Falls proposal to construct new facilities at the College of Great Falls and to lease other college buildings for use by the Montana Law Enforcement Academy.

This proposal provides for lease of a 100-bed dormitory on the college campus. The proposal also makes available the joint use of various college facilities, including McLaughlin Center, college classrooms, the college book store, library, auditorium, and chapel. The proposed lease is for $287,000 annually. The College of Great Falls also proposes to deed land to the state for the construction of administration and support facilities. Construction of these facilities would be the responsibility of the state.

The all-weather firing range at Malmstrom Air Force Base is proposed for use in weapons training.

Cost of renovation and construction:	$ 703,354
First-year costs:	$ 583,551
Twenty-year costs:	$16,702,399

(3) The Lewistown proposal for acquisition and renovation of the recently abandoned Fergus County High School and the old Calvert Hotel, both of which are historical structures.

The Lewistown proposal is based upon a lease-purchase arrangement, whereby the facilities would be renovated, then leased to the state under a 20-year irrevocable lease agreement, after which the state would acquire ownership of the facilities. Lease payments would be $259,929 per year during the term of the lease. Under this proposal, an indoor firing range would be constructed on the second floor of the high school building. Classrooms would also be located in the high school. Double occupancy dorm rooms are divided into two locations, with 28 of them in the Calvert Hotel and 22 rooms in the high school building. The existing state motor vehicle driving education facility is located 3 miles from the proposed Academy site.

Cost of renovation and construction:	$ 2,552,035
First-year costs:	$ 653,297
Twenty-year costs:	$16,912,323

After careful assessment of the costs of these three proposals, and following a detailed evaluation of the facility and service needs of the Academy, the Subcommittee finds that the proposal of Western Montana

College is the best alternative for housing the Montana Law Enforcement Academy. Our finding is based upon a number of factors, including:

(1) **The Western Montana College proposal is based upon utilization of existing, state-owned facilities.**

As such, it will not result in the construction of new facilities, other than an indoor firing range. In addition, the Western Montana College proposal does not add to the list of state institutions comprising the state bureaucracy. Instead, the Western Montana College proposal offers use of state buildings that are presently underutilized and improves the current state investment in facilities located at the college.

(2) **The cost of the Western Montana College proposal is less than the cost of any other proposal, based upon a 20-year life cycle cost analysis.**

In particular, the Western Montana College proposal has more favorable costs compared to the Great Falls and Lewistown proposals.

When compared to the Great Falls proposal, the cost of the Western Montana College proposal is $5.1 million less, excluding the cost of constructing an adequate indoor firing range in Great Falls. Similarly, the Lewistown proposal costs $5.3 million more than the Western Montana College proposal.

(3) **The Western Montana College proposal maximizes training opportunities for law enforcement**

officers by encouraging the development of programs in cooperation with the Montana University System.

Because the Academy would be on the campus of a state college, the Academy would receive support and assistance from the Montana University System in numerous areas, including instruction in sociology, psychology, writing skills, computer science, emergency medical training, and law -- all using existing state resources for the improvement of law enforcement training in Montana.

(4) The Western Montana College proposal would provide facilities to meet the expressed needs of the Montana Law Enforcement Academy.

The Western Montana College proposal meets all facility requirements established by the Subcommittee and recommended by the Montana Department of Justice, including: an indoor firing range, a crime scene lab, an indoor physical training area for nightstick practice, a film/print room, modern student classrooms, a dormitory to accommodate 100 resident trainees, and other facilities to meet the needs of the Academy.

(5) The Western Montana College proposal will result in permanent, state-owned facilities with only a modest impact upon the state budget.

The Western Montana College proposal will provide permanent, affordable housing for the Academy at facilities owned and controlled by the state of Montana. Furthermore, the proposal will require no more than a minimal increase in funding above the Academy's current budget level. The proposal would be only $115,000 more than current budgeted expenses for rent, and would require approximately the same costs for annual operations, which amount to about $124,999. Thus, the total annual costs for rent and operations would be $390,999, compared to $275,999 for the current leased facilities in Bozeman.

(6) The Western Montana College proposal will result in lower costs per law enforcement academy trainee.

Based on the estimated costs for operation and annual rent, the Western Montana College proposal will cost the state less per student than at the present facility in Bozeman. Currently, it costs approximately $4,312 per student for operation of the Bozeman facility. At Western Montana College, it would cost $3,910 on the average, for savings of $402 per trainee.

In contrast, the Subcommittee finds a number of problems with the Great Falls and Lewistown proposals. In particular, we cite the following major problems:

The Great Falls Proposal

(1) The proposed firing range does not meet facility requirements.

The Subcommittee has established Academy facility requirements that were intended to apply to all proposals unless reasonable justification existed to allow deviation from the program requirements. These requirements, which were developed with the assistance of the Architecture and Engineering Division, provide that each proposal for the Academy must contain plans for an indoor firing range. The program requirements include these specifics:

- The firing range must be an indoor range, consisting of 12 firing stations.

- The firing range must be equipped with a bullet trap, target track, acoustical baffles, and system lighting.

- The firing range must have a range control station and observation area.

The Great Falls proposal does not meet these requirements because it proposes an outdoor "all-weather" firing range in lieu of an indoor weapons range. The proposed firing range is an existing range located at Malmstrom Air Force Base. This firing range is considered by the U.S. Air Force to be an "all-weather" facility, consisting of:

(1) a 62-meter range used to fire machine guns on a 1,000-inch scale;
(2) a 25-meter pistol range with 14 enclosed and heated firing points; and
(3) a 100-meter rifle range with 18 heated firing points.

The range also has an on-site facility that contains an ammunition and weapons cleaning and maintenance area, and a classroom area.

The proposed firing range simply does not meet facility requirements. The range does not have an observation area or range control station, for instance. Furthermore, being an outdoor firing range, it is not designed for the type of controlled training planned by the Academy.

Under a different set of criteria, the proposed range might be acceptable. But it does not meet the facility requirements approved by the Subcommittee. More importantly, Montana Law Enforcement Academy officials have indicated that the proposed firing range does not meet Academy training needs.

(2) Access to the firing range appears to be restricted, and this may pose problems for the Academy in securing use of the firing range when it is needed.

The proposed firing range is located at the Malmstrom Air Force Base. There are problems that conceivably may arise because of this location.

Because the air force base is a national military installation, there may be problems that will be experienced by the Montana Law Enforcement Academy in obtaining ready and convenient access to the range when such access is needed for training. (For example, convenient access may not be available during nighttime hours or at times of national emergency.)

The problem is that the Malmstrom Air Force Base, being a military installation, must maintain internal security on the base, and security requirements may restrict the ability of Academy personnel and trainees to utilize military facilities when desired. It does not appear that Academy personnel will be allowed to come and go freely in gaining access to the firing range, and that some prior notice to base security might be necessary in certain instances. This is evident in the security measures practiced at the air base.

(3) The proposal would require a new state bonding program to finance the cost of proposed new construction.

The Great Falls proposal involves the construction of a new administrative and support building on land that would be deeded to the state. The estimated cost for construction is $626,260. The proposal contemplates that the state would be responsible for constructing and financing the new buildings.

In order to finance this cost, the state would need to sell bonds and plan for the retirement of these bonds under the state long-range building program. However, the Governor has not approved a new bonded program for the 1989 biennium. Instead, the Governor recommends only maintenance, repair, and improvements to existing state-owned facilities, using available cash from the capital projects fund and other earmarked sources to pay for needed construction. Since no new bonded program is recommended, the proposal for new construction is not feasible.

(4) The joint use of training facilities and college classrooms may pose scheduling problems, which could result in inadequate facilities being provided to the Academy.

The College of Great Falls has provided clarification of issues concerning the shared use of facilities by the Academy and the college. Their clarification, however, seems to indicate that the Academy may not be given equal priority in the scheduled use of joint-use facilities, as compared with college instructional and student uses.

Rather, the proposal indicates that in the use of certain training facilities and classrooms, use by the Academy would be allowed through the coordination of schedules for use of the facilities by the P.E. department, CGF students, and the public. It is said that: "The key would be the effective use of current low-activity times." Similarly, the proposal indicates that joint-use classrooms could be provided to the Academy based on current underutilization in the mid and late afternoon hours.

From this it seems that the Academy may not have sufficient priority of use to assure proper scheduling of joint use training and classroom facilities. Thus, there is a concern that if there is an increased demand for college facilities, which could occur with higher enrollments, there would be scheduling problems and, because of the lack of priority given in relation to other users, the Academy would be unable to obtain needed classrooms and facilities to meet its training needs.

Montana Law Enforcement Academy officials have expressed concern regarding the proposed joint use of facilities at the College of Great Falls. These officials do not consider the proposal acceptable in view of possible conflicts in using jointly shared facilities. We share their sentiments.

(5) Public policy considerations lead us to believe that the state should not locate the Montana Law Enforcement Academy at a religious institution.

The College of Great Falls is a religious institution controlled by the Sisters of Providence of the Roman Catholic Church. The institution is described as "an independent Catholic college emphasizing study of the liberal arts in a free, open Christ-centered environment".

Due to the religious character of the College, the Subcommittee finds that public policy considerations should prohibit location of the law enforcement academy at the College of Great Falls. As a matter of policy, it seems improper to require law enforcement officers to receive state training at a religious institution where the symbols of religion are ever present and the sectarian purpose of the school is clear.

Further, the Subcommittee believes that the use of public money in this case is best spent to support the state college in Dillon and not to support a sectarian institution.

The Lewistown Proposal

(1) The costs associated with the Lewistown proposal are high considering the quality and type of facilities and services that would be obtained.

The total costs of the proposed project are high relative to the quality and variety of facilities and services that would be made available under the proposal. Under the Lewistown proposal, the costs for purchase and renovation of the proposed facilities would be $259,929 over the course of 20 years, assuming private financing at 8%. By comparison, similar costs for the Western Montana College and Great Falls proposals are $161,078 over 10 years at 10% interest for the Western Montana College proposal, and $68,994 over 20 years at 7.5% interest for theGreat Falls proposal.

Clearly, the costs are higher for the Lewistown proposal. In addition, the Lewistown proposal does not offer the type and variety of auxiliary services or educational facilities that would be available under either the Western Montana College or Great Falls proposal. The Western Montana College and Great Falls proposals both provide educational and training services that are unavailable and cannot be duplicated in Lewistown due to the lack of a local college. Also, both offer the availability of physical education facilities, academic libraries, and various other buildings, which do not exist under the Lewistown proposal. Thus, the costs of the Lewistown proposal must be considered high with respect to the services and facilities provided.

(2) **The proposal contains comparatively high annual operating costs that are "site specific", that is costs based on the location of the Academy and unrelated to operating costs that would be incurred at any location for the Academy.**

An analysis has been performed to determine the operating costs that would be incurred by the Academy under the various proposals. The analysis reveals that there are certain costs that can be identified and would be considered "site specific". These costs would differ based on the location of the Academy and would include costs for water and sewer service, utilities, maintenance, and laundry service. For this analysis, however, site-specific costs did not include the cost for food services or transportation.

Based upon the completed cost analysis, annual site-specific, operating costs for the Lewistown proposal have been estimated to be $268,369. By comparison, the Dillon proposal involves no site-specific costs because the costs are included in the proposed lease. On the other hand, the Great Falls proposal has some site-specific, annual operating costs associated with it. These costs, though, are less than half the site-specific, annual operating costs of the Lewistown proposal.

(3) **The design for the proposed firing range would seem to create problems that could be expected to result from: (a) noise and vibration noticeable outside the indoor range; and (b) the presence of structural columns in the firing area of the proposed indoor range.**

The Lewistown proposal provides for an indoor firing range that is located in the Fergus County High School building on the second floor. Within this building on the floor below would be the main classrooms. On the same floor as the firing range there would be dorm rooms and possibly some additional classrooms.

The possibility exists that, because of the design, firearms training on the indoor range could create noise and vibrations that would disrupt Academy activities in the other areas of the building.

Another problem with the design of the indoor firing range is that the range has two rows of structural columns that would divide the range into three alleys. It appears that this design is unacceptable because it would create a hazard on the range, or at a minimum, would not permit weapons to be fired across lanes, which is necessary for certain types of training.

While it might be possible to rectify some of these problems, nothing has specifically been offered that demonstrates a clear plan to address any of these problems.

(4) There is excess capacity in the proposed facilities, which would have a bearing on future operational and maintenance costs of the Academy.

The Lewistown proposal provides for a total gross building area of 108,318 square feet. The space requirements for the Academy call for a facility containing a total gross building area of only 59,826 square feet. The gross area of the proposed facility exceeds requirements by 80% of the needed capacity.

The gross building area under this proposal exceeds the building area required primarily because of excess capacity in the high school building. In the high school building there is about 6,000 square feet of undesignated classroom space, which is proposed for future expansion. There is also 5,600 square feet of undesignated space in the high school auditorium. In addition, the high school contains another 6,000 square feet of excess space in the proposed locker area.

More excess space is found in building two, which is the proposed support facility that includes a garage, loading dock, and ammunition bunker. Building two offers approximately 8,000 square feet more space than is required.

It is generally understood that this excess capacity would contribute to additional costs for maintenance, repair, and operation of the proposed facility simply because the excess area is part of the total physical plant of the facility, which must be cared for.

(5) **The Lewistown proposal would require that the Academy bear new costs for a library and for academic and educational services that presently are available at Montana State University or would be available under either one of the two alternative proposals.**

Because no college is located in the community, Lewistown does not have a research library and cannot provide the type of academic or educational services that are available at the Academy's present site in Bozeman or at the proposed sites in Dillon or Great Falls. The Academy's present location offers the use of the libraries and services available at Montana State University. The proposed Dillon site would make available the library and educational resources found at

Western Montana College. Great Falls would provide the Academy use of the library, programs, and services available at the College of Great Falls. No comparable facilities or services exist at the proposed Lewistown location.

Since no college facilities are available in Lewistown, the Academy would have to pay additional costs for a special library facility. These library costs would include the cost to purchase books, journals, and other library materials.

Similarly, due to the lack of a college in the community, the Academy would incur extra costs to obtain computer services, research information, curricula, and training from the state college system.

The Attorney General's Office has indicated that it is a goal of the Academy to maximize cooperative programs between the Academy and the Montana University System. It is believed that access to a university or college would greatly assist in upgrading and professionalizing law enforcement training at the Academy. If the Academy were located in Lewistown, it would be difficult to obtain University support for Academy training programs.

(6) While the suggested, alternative financing proposal seems feasible, it does not seem to offer any financial benefit to the state.

Lewistown has submitted a revised plan for financing the purchase and renovation of proposed Academy facilities. The main details of this plan involve the following:

(1) The state would enter into a 20-year irrevocable lease agreement for use of the proposed facilities.

(2) The City of Lewistown would authorize the use of "industrial revenue bonds" to finance the proposed Academy project.

(3) The sale of bonds would be for $2,552,024 at 8% interest over 20 years.

(4) At the end of 20 years, the state of Montana would receive clear title to all property contained in the proposal.

It is believed that the type of bond to be used for financing under the Lewistown proposal is a special municipal, limited obligation bond authorized under Title 90, Chapter 5, of the state code. The bond is an industrial development type bond that may be issued by municipalities or counties to finance "local, state, and federal governmental facilities". The bond, when used for a public purpose, is tax exempt under federal and state law.

If Lewistown is, in fact, proposing the use of a state industrial development bond, there is nothing to preclude the sale of bonds as generally proposed.

Nevertheless, it is difficult to understand how the state will benefit by accepting the alternative financing proposal. The state could just as easily sell bonds on its own, if it were willing to accept the long-term debt associated with retirement of state bonds.

Not only could the state sell its own bonds, but it would very likely be able to obtain better financing rates if the state issued its own bonds.

The state should be able to receive better bond ratings than Lewistown because it can pledge the full faith and credit of the state for repayment of the bonds. On the other hand, the law does not permit Lewistown to accept pecuniary liability for state industrial development bonds because the bonds are limited obligation bonds, which is sure to affect the bond rating on these types of bonds, notwithstanding an irrevocable lease agreement.

(7) Approval of the Lewistown alternative financing proposal would require a two-thirds vote of each house of the Legislature because the irrevocable lease agreement would constitute a "state debt" within the meaning of Article VIII, Section 8, of the Montana Constitution.

As mentioned in the previous section, Lewistown proposes alternative financing for the purchase and renovation of Academy facilities. This financing proposal requires that the state enter into a 20-year irrevocable lease agreement as security to assure repayment of bonds that would be sold under the plan. This irrevocable lease agreement would constitute a state debt that would require approval by a two-thirds vote of the Legislature.

Article VIII, Section 8, of the Montana Constitution reads in part as follows:

> "Section 8. State debt. No state debt shall be created unless authorized by a two-thirds vote of the members of each house of the legislature . . . ."

An irrevocable lease agreement is clearly a "state debt" within the meaning of Article VIII, Section 8, of the Montana Constitution because in authorizing such agreements, the Legislature would create a financial obligation extending through the life of the lease and every succeeding Legislature would have a duty to provide funding for payment of the lease. Hence, a two-thirds vote of the Legislature would be required before the state could bind itself to an irrevocable lease agreement as proposed by Lewistown.

Finding #11

The facility needs of the Academy--not location--should be the main consideration in evaluating alternative proposals for the Academy.

Discussion

The Subcommittee finds that location should not be a major consideration in evaluating proposals to house the Academy. Location would be meaningful if the task were to merely determine the location for the construction of a new facility. In such case, location would be 100% of the task in making the decision.

However, our task has not been to establish the site for a new building. Rather, our job has been to study proposals for the use of existing adequate buildings to house the Academy. In a case like this, costs and facility considerations are the main factors in the decisionmaking process. Locational considerations are largely irrelevant.

Indeed, early in the study period, the Subcommittee attempted to employ locational and geographical considerations in the decision process. To do this, we compiled a comprehensive array of information relating to such considerations, and we made an effort to evaluate the information. However, the evaluation was an exercise in futility that did not result in meaningful comparisons of the various proposals. Therefore, we believe location is not a meaningful consideration in the selection of facilities to serve the Academy and should not be a main factor in evaluating Academy proposals.

Finding #12

The Legislature should not postpone or delay a decision regarding permanent facilities to house the Montana Law Enforcement Academy.

Discussion

The Subcommittee believes that the Legislature should neither postpone nor delay a decision to provide permanent facilities to house the Academy. We hold this belief for these reasons:

(1) A decision on this matter is long overdue and cannot be avoided.

The issue has festered since 1979, and due to the perceived economic benefits of locating the Academy in certain communities, the issue will not die until a decision by the Legislature is finally made.

(2) There is no need to wait for additional facts in order to reach a decision.

Realizing that a decision should be made for permanent location of the Academy but that the Legislature did not have available to it an analysis of alternate sites to provide a comparison of required facilities and services, the 1985 Legislature established this Subcommittee to study the issues associated with location of the Academy. The Subcommittee completed its study. We have explored all the issues and looked at all the alternatives. We have gathered the relevant facts and cost information. We have performed a comprehensive analysis. There is no need for delay due to the lack of an analysis or information.

(3) The Legislature could postpone a decision as the Attorney General has recommended, but what good would result from such inaction?

The Attorney General has suggested that the Legislature wait another two years or more until financial conditions improve and the state can afford to finance an improved facility.

The Attorney General's clear desire is that the Legislature postpone a decision until it can fund the construction of a new law enforcement academy facility. If this is why the Legislature should wait on its decision, then we suggest that we may be waiting for nothing, because it is very unlikely that the

Legislature will ever approve the construction of a new facility.

The Legislature has previously disapproved the Attorney General's request for a new academy in 1983 and 1985. Moreover, the state may never be able to afford the $5.5 - $7.5 million expense of a new facility. Besides, a new facility is plainly unjustified in our view.

(4) **If the Legislature fails to make a decision to provide permanent, adequate facilities for the Academy, it will be ignoring a serious problem facing Montana law enforcement agencies.**

Due to inadequate facilities, law enforcement training is deficient in this state. Without adequate facilities, the Academy cannot provide required training that law enforcement agencies need to serve and protect the citizens of the state.

Hence, if the Legislature fails to make a decision to provide adequate facilities, then it also will fail to address the problem of inadequate law enforcement training. As a consequence, law enforcement will suffer and local governments will be exposed to greater liability for poorly trained law enforcement officers.

Therefore, the Subcommittee urges action this year to address the facility needs of the Montana Law Enforcement Academy.

CONCLUSION

Based on the findings stated herein, the Joint Interim Subcommittee on the Law Enforcement Academy respectfully recommends that the 50th Legislature enact into law the following legislation:

LC 179	An act to locate the Montana Law Enforcement Academy at Western Montana College in Dillon; to authorize and consent to a capital building project at Western Montana College for the construction, renovation, equipping, and furnishing of facilities to serve the Academy; and to require lease of college facilities for use by the Montana Law Enforcement Academy.
LC 280	An act to appropriate money to exercise the purchase option for facilities in Bozeman currently housing the Montana Law Enforcement Academy; and to provide for disposition of the facilities should legislation be enacted to relocate the Academy.

In making this recommendation, the Subcommittee offers a lasting cost-effective solution to the facility needs of the Montana Law Enforcement Academy, one that will generally upgrade law enforcement training in Montana and which will promote and develop better law enforcement in this state.

The Subcommittee cautions the Legislature against considering other, new proposals for location of the law enforcement academy. We fully expect that some communities will offer new proposals and pursue legislation to relocate the Academy to their respective communities. We suspect that the Legislature will lack sufficient information in these instances to allow a proper evaluation of the costs to the state if it accepts any of these proposals. We also anticipate that the new proposals will fail to contain adequate information showing how the proposed facilities will meet the needs of the Academy. We have seen it all before.

Furthermore, we warn the Legislature not to accept a temporary solution to the facility needs of the Academy, especially if such solution does not offer a significant improvement over continued use of the facilities in Bozeman. The Subcommittee believes that facilities to house the Academy should provide for a permanent, lasting solution to the needs of the Academy.

Therefore, we urge the 50th Legislature to carefully consider the results of our study and to accept our recommendations to address the facility needs of the Montana Law Enforcement Academy.

MINORITY REPORT (LC 279)

(Senator Esther Bengtson)

I do not concur in the recommendation that LC 279 be commended to the 50th Legislature for the following reasons:

(1) The Subcommittee has failed to give adequate consideration to the construction of a new law enforcement academy facility as requested by the law enforcement community.

(2) The Subcommittee has not fairly considered the possibility of contracting with other states to provide law enforcement training to Montana peace officers.

(3) The Western Montana College proposal is unacceptable because it will result in location of the Academy in a remote area far from the center of the state. As such, location of the Academy at Western Montana College will unfairly discriminate against local law enforcement agencies in eastern Montana, which will be forced to pay higher transportation costs to send officers to the Academy for training.

(4) The Subcommittee did not receive sufficient input from local law enforcement officials before making its recommendation.

APPENDIX A

GENERAL REQUIREMENTS FOR PROPOSALS CONCERNING A SITE/FACILITY FOR LOCATION OF THE MONTANA LAW ENFORCEMENT ACADEMY

INTERIM SUBCOMMITTEE ON THE LAW ENFORCEMENT ACADEMY

General requirements for proposals concerning a site / facility for location of the Montana Law Enforcement Academy

Prepared by Tom Gomez
Staff Researcher
Legislative Council

January 10, 1986

INTERIM SUBCOMMITTEE ON THE LAW ENFORCEMENT ACADEMY

General requirements for proposals concerning a site / facility for location of the Montana Law Enforcement Academy

I. PROJECT INFORMATION

A. Project Description

The Joint Interim Subcommittee on the Law Enforcement Academy will receive proposals from interested parties to design, renovate, and construct facilities to serve as a Montana Law Enforcement Academy training center. Proposals must present a plan for utilization of existing, adequate buildings. In addition, each proposal must fulfill the building program requirements hereafter described.

B. Selection of proposal

All proposals will be considered in accordance with the criteria established by the Subcommittee for the evaluation of proposals.

However, the Subcommittee reserves the right to accept or reject any or all proposals submitted for its consideration. Following the evaluation of proposals, the Subcommittee will make findings and issue a recommendation for the selection of the proposal that is considered the best alternative for an improved facility. The Subcommittee will submit its findings and facility recommendation to the 50th Legislature for final consideration and approval.

The decisions of the Subcommittee are not binding upon the State of Montana or the Montana State Legislature.

C. Confidentiality

All proposals will be kept in strict confidence until they are presented for evaluation at the time of the next public meeting of the Subcommittee. Such confidentiality is necessary to assure that all proposals are evaluated solely on merit and to protect against the premature disclosure of the details contained in any one of the proposals.

II. PROPOSAL INSTRUCTIONS

A. Submittal requirements

Proposals will be accepted no later than 5:00 P.M. on February 24, 1986, in the office of the Legislative Council, Room 138 State Capitol, Helena, Montana 59620.

Proposals must be submitted in an orderly and concise packet not to exceed 8-1/2" x 11" in size.

Each proposal, in order to be entitled to consideration, must consist of the following parts:

1. A technical proposal, which must contain:
    - a. An architectural assessment describing the condition of the existing physical structure of the facilities proposed for use by the Academy;
    - b. An architectural plan for renovating or converting an existing structure so that it

will meet the program requirements for a facility adequate to house the Montana Law Enforcement Academy;

   c. Outline specifications of all major specification subjects, including mechanical, plumbing, and electrical systems. The outline specifications must be reported with sufficient detail, dimensions, and notes to allow evaluation of the submitted cost proposal.

2. Proposal drawings, which must include the following drawings:

   a. An architectural site plan at 1" = 20' - 0" scale showing property lines and dimensions; location of buildings, roads, parking areas, walkway systems, and open space; indication of existing grades, and the relationship of the proposed facilities to existing roads and walks;

   b. A utilities site plan at 1" = 20' - 0" scale, which must indicate the property lines, location of buildings, road and walkways, utility layout (including connections, valves, and hydrants) electrical distribution, and other related utility features;

   c. A landscaping site plan at 1" = 20' - 0" showing all proposed landscaping;

   d. A facilities development plan at 1/8" per 1'- 0" scale showing the general design of the proposed facility and site improvements. This plan must contain schematic floor plans at 1/8" = 1' - 0" scale which clearly shows how the facility meets the program needs of the Academy; and

e. Schematic floor plans at 1/8" = 1' - 0" scale showing overall dimensions of each existing building component, room dimensions, roof outline, plumbing fixtures, windows, door swings; heating, plumbing, and electric diagrammatic layouts; equipment, and the calculated gross and net floor areas of each building component.

3. A cost proposal, which must consist of the following information:

   a. A financial estimate of the proposed cost of leasing or purchasing the proposed site and facility;

   b. A project cost summary outlining in sufficient detail all considerations of the program plan, including the foreseeable costs of construction, renovation, repair, maintenance, and operation of the proposed facility; and

   c. All other financial cost information required under section III.

4. A proposal for the geographic location of the Academy, which must describe the locational / community characteristics of the proposed site of the Academy. The proposal should contain the following information:

a. The kind of housing and other amenities available in the community, which are needed to attract and retain qualified, professional Academy staff;

b. A description of the current economic climate in the area proposed as a site for the Academy;

c. The availability of other professionals in the community who may be able to provide professional assistance and training support to the Academy;

d. The educational, leisure, and recreational activities available in the area for the benefit of law enforcement trainees;

e. The number and kind of commercial services that exist in the area, including motel, restaurant, entertainment, and car rental services;

f. The availability of commercial air transportation service to the community;

g. The accessibility to the community via existing highways;

h. The type of support services available in the community to provide the Academy needed maintenance, supplies, and other services; and

i. The level of hospital and emergency medical services that can be obtained within the community.

B. Other Requirements

1. All proposals must be submitted in writing. No oral or telephone proposals or modifications to proposals will be considered.

2. Proposals entitled to consideration must be signed in longhand by the legal and proper representative of the firm or party submitting the proposal.

C. Mailing instructions

1. Address your proposal packet, containing three copies of the complete proposal and all drawings, to:

   The Legislative Council
   State Capitol, Room 138
   Helena, MT 59601

   Attn: Tom Gomez

   Additional copies of the complete proposal may be required by the Subcommittee.

2. Please indicate the following information on the front of your proposal packet:

   LAW ENFORCEMENT ACADEMY PROPOSALS

   DO NOT OPEN PRIOR TO 5 P.M.

   FEBRUARY 24, 1986

3. Please indicate your return address and acknowledge receipt of addenda as follows:

ACKNOWLEDGE RECEIPT OF ADDENDUM NO. __________,
__________, __________, __________, __________.

D. Rejection of proposals

1. All proposals received by the stated hour will be opened and read. No proposals will be accepted after the stated hour.

2. Proposals failing to meet the substantial requirements established herein may be cause for determining a proposal nonresponsive and, therefore, not entitled to further consideration.

E. Clarification of proposals

Each proposal should be complete and correct when submitted. You should not assume that you will be contacted or afforded an opportunity to clarify, discuss, or revise your proposal.

However, in the course of their review, the Architecture and Engineering Division or the Subcommittee staff may find that some clarification of a proposal may be necessary and required for a fair and objective evaluation. In that event, such clarification may be requested in writing, especially if without such clarification, the proposal would be rejected.

III. FINANCIAL INSTRUCTIONS

All interested parties must submit a proposal with information concerning the cost to the state in sufficient detail to allow proper evaluation of the costs associated with the proposal. The proposal must meet the following requirements:

A. If the proposal features a lease arrangement, the costs of leasing must be described by indicating:

   1. The total number of years for the proposed lease, not to exceed 20 years;

   2. The proposed amount of fixed annual rent;

   3. The estimated annual charge to cover property tax payments; and

   4. The cost of an option to purchase the proposed facilities. The essential terms for the exercise of the purchase option must be provided in the proposal.

B. If the proposal contains a plan for purchase of the facilities, the proposal must state:

   1. The finance costs of servicing bonds sold in order to acquire the facility;

   2. The acquisition cost if the state performs the necessary renovations; and

   3. The purchase price if the developer performs the renovations. The developer must include the basis for the estimated costs of renovation.

C. Each proposal must provide an itemized description of the estimated first year operation costs for the facility.

D. In addition, each proposal must provide an itemization of the projected 20-year life cycle costs for operation and maintenance of the facilities.

IV. PROGRAM REQUIREMENTS

A. Site and site development

1. Building location and orientation

a. The site for the Academy must be adequate for motor vehicle parking, outdoor recreation, site development, and future expansion of the facility. The site may consist of such additional acreage as may be necessary for establishment of a motor vehicle driving range.

b. The site for the proposed facilities must have adequate drainage and should be located in an area that is not subject to flooding.

c. The site should be suitable for installation of all necessary utility services, including natural gas, water, electricity, and communications services.

d. The overall orientation of the facilities should provide an attractive impression.

e. The site should be in a presentable area that enhances the overall setting for the Academy.

f. The location of the Academy must lend itself to good visual and acoustical privacy. The potential for noise disturbances should be at a minimum.

2. Vehicular and pedestrian traffic

a. The location of the site should provide for convenient vehicular access. The site for the main Academy buildings should not be located in an area where motor vehicle traffic congestion may result from activity associated with the Academy.

b. There should be a minimum of traffic conflict points in the street system adjoining the site.

c. Emergency vehicles should be able to gain reasonable and direct access to each building component. Service vehicles (maintenance, trash, delivery vans, etc.) should have separate access to each building.

d. The site should provide for good pedestrian circulation between buildings.

e. The location should not present an unreasonable danger of pedestrian / vehicular accidents. Units of the facility should be reached without pedestrians crossing heavily traveled primary roads or arterial streets.

3. Parking and landscaping

a. Hard surfaced offstreet parking in the immediate vicinity of the site should be provided for a minimum of 100 motor vehicles.

b. The site should contain a landscaped area suitable for outdoor training, exercise, recreation, and general site development.

4. Zoning requirements

a. The proposed use of the site must not conflict with local zoning regulations.

b. The site should be in an area with compatible or supportive land uses.

B. Facility design

1. Structure and condition of buildings

a. The proposed buildings should be structurally sound and have a projected structural life of no less than 20 years.

b. The structural system must be capable of supporting the anticipated loads.

c. The electrical system must be adequate to provide power and lighting requirements.

d. The mechanical system must be in good working order and capable of providing a comfortable working and living environment.

e. The plumbing system should be in good condition and capable of meeting anticipated needs of the Academy.

2. Code requirements / Building standards

   a. All aspects of the building must comply with all applicable building codes, state laws, municipal ordinances, and miscellaneous rules of all authorities having jurisdiction over the project.

   b. The design of the building and plan for renovation / construction must meet all accepted architectural design and construction practices.

   c. The facility must provide for handicapped accessibility in compliance with the Uniform Federal Accessibility Standards.

3. Interior design

   a. The interior of the building should be warm, comfortable, and inviting.

   b. All building should be clean, well lighted, and of good interior quality.

   c. The proposed facility should lend itself to an orderly arrangement within the facility. Circulation within the building should be clear with good orientation.

   d. The overall quality of the interior must be similar to that outlined in the architectural program plan, which appears on page 15.

      The program plan contains a description of finishes and furnishings to serve as a general guideline to the developer in preparing a plan to meet the general requirements for the interior quality of the facility. These are only recommended general requirements and any reasonable variations will be accepted provided that all other proposal conditions are satisfied.

4. Architectural considerations

a. The structural system of the proposed facility must lend itself to modification and renovation.

b. The facility should have adequate room for expansion and should provide flexibility in order to meet the future requirements of the Academy.

5. New construction

a. All proposals containing a plan for new construction must meet the specifications and functional area requirements outlined in the architectural program plan developed by the Architecture and Engineering Division, as appears on page 15.

b. Any proposal for new construction containing costs that vary from the cost estimates prepared by the Architecture and Engineering Division must include sufficient cost information and details of the construction plan to permit an evaluation of the proposal for new construction.

c. Applicants may accept the state architectural plan and cost estimates for new construction in order to fulfill the requirements for any component of the facility plan. In such case, acceptance of the state's architectural plan and cost estimates for new construction should be clearly stated as part of the proposal.

C. Size / Capacity / Program Considerations

1. The facility to house the Montana Law Enforcement Academy must contain a minimum total gross building area of 59,826 sq. ft.

2. The facility proposal must meet the functional area requirements described in the the architectural program plan contained on page 15.

   The functional area requirements are divided into six components: Administration, Classroom, Training, Dormitory, Support, and Kitchen / Dining.

   In lieu of a facility plan for a kitchen / dining facility, a proposal may contain a plan to contract for food service requirements.

3. The facility proposal must be designed to serve 13 staff and 100 trainees, as outlined in the program plan.

4. You are asked to pay special attention to the requirements established for an indoor firing range.

PROPOSED FACILITY PROGRAM

ADMINISTRATION COMPONENT

ENTRY/LOBBY

Activity:

Primary entry into building.
Provide general circulation to various areas of the building.
Display area for art work.
Conversation area for visitors (15-20 people).
Class registration - 40 students in 2 hour period.
Possible public meetings.
Heavy use during graduation ceremonies.

Finishes and Furnishings:

Quarry tile, carpet, vinyl wall covering, acoustic ceiling,
Lounge chairs and tables.

Remarks:

Area should be warm, inviting and comfortable.

Area:

Lobby Area for 40 people at 20 S.F. each includes art displays = 800 S.F.
Circulation/Registration = 400 S.F.
TOTAL: 1200 S.F.

RECEPTIONIST

Activity:

Clerical secretary to Administration.
Message center and P.A. operator.
Control point(separates visitors from students' dorm and controls entry to administration.)
Located behind counter, generally one person with some filing duties.

Finishes and Furnishing:

Painted gypsum board walls, carpet or vinyl tile floors and acoustical tile ceilings.
Desk/chair, counter, P.A. system and files.

Remarks:

P.A. system should connect to administrative offices classrooms and dormitory rooms.

Area: 165 S.F.

DIRECTOR, ADMINISTRATION OFFICER, PROGRAM DIRECTOR OFFICES

Activity:

Typical office work (write letters, reports, etc.)
Comfortable conference room for 4-5 people.
Storage for materials.

Finishes and Furnishing:

Vinyl wallcover, carpet, suspended acoustic ceiling,
Couch, 2 lounge chairs, desk, chair, credenza, and wall shelves.

Area: 220 S.F each X 3
Total 660 S.F.

FACULTY OFFICES (5 permanent and 3 extra)

Activity:

Prepare lesson plans and assisting students on an individual basis.

Finishes and Furnishing:

Carpet, painted gypsum board walls and acoustical tile ceiling.
Credenza, bookcase, desk, chair, coat rack and storage.

Area: 130 S.F. each X 8
Total 1040 S.F.

CENTRAL SECRETARIAL AREA

Activity:

3 secretaries provide clerical support to faculty.
Each secretary has a word processor at their desk.
Teletypes and word processors should be sound insulated .
Provide general circulation through this area to faculty offices.

Finishes & Furnishings:

Painted gypsum board walls, carpet and acoustical tile ceiling.
Each secretary has an open office work station.

Area: 100 S.F. per work station X 3.
200 S.F. for the printer plus some expansion.
Total 500 S.F.

DUPLICATING

Activities:

Photo copying and collating of all handout materials for instruction.
Storage of printed materials on about 100 LF of open shelves.
Storage of office supples.

Finishes and Furnituring:

Rubber tile floor, gypsum board walls, acoustical tile ceiling.
100 LF shelves. Extensive base and wall cabinetry.

Remarks:

This area is heavily used at times. The photocopier is a major heat source and as a result the room should be air conditioned.

Area: 900 S.F.

STAFF CONFERENCE ROOM

Activities:

Meetings for entire staff (20) around large conference table.
Scheduling of classes.
Private conferences.

Furnishes and Furnishing:

Vinyl wall covering, carpet and acoutical tile ceiling.
Large table with 20 chairs. Grease boards on walls (approx. 24 L.F.).

Remarks:

Located near receptionist with sound isolation when door is closed.

Area: 250 S.F.

STAFF LOUNGE

Activities:

Lunch and coffee breaks.
General bull sessions for about 12.

Finishes and Furnishes:

Vinyl tile floor, painted gypsum board walls, and acoustical tile ceiling.
Table/chairs, counter with sink, and refrigerator.

Area: 170 S.F.

STAFF TOILETS (Men's and Women's)

Activities:

Need I say more.

Finishes:

Could be vinyl tile floors or ceramic tile with gypsum board walls and ceilings.

Area: 220 S.F.

TOTAL ASSIGNABLE AREA ADMINISTRATION 5105 S.F.

CLASSROOM COMPONENT

40-STUDENT TIERED CLASSROOMS

Activities:

General purpose lecture hall with extensive use of audio visual teaching aids.

Finishes & Furnishings:

Painted gypsum board walls, carpet or vinyl tile floor and acoustical ceiling. The acoustics of the space should lend themselves to the function of the rooms.

40 student seats with writing tablets, lectern, projection screen, chalkboard, and PA system.

Area: 2 rooms @ 950 S.F. each
Total: 1900 S.F.

64-STUDENT EXPANDABLE CLASSROOM

Activities:

General classroom and demonstration activities.

Finishes & Furnishings:

Painted gypsum board walls, vinyl tile or carpeted floor and acoustical ceiling. 64 student desks and instructor lecture area with chalkboards.

Remarks:

The room should be equipped with a rear projection screen and an area for audio visual equipment storage.

This room will have a acoustical movable wall between it and the 20 student classroom.

Area: 1,120 S.F.

20 STUDENT CLASSROOM

Activities:

General classroom and demonstration of activities for smaller groups.

Finishes and Furnishing:

Painted gypsum board walls, vinyl tile floor or carpet and acoustical ceiling.

20 student desks and instructor lecture area with greaseboard or chalkboard.

Area: 380 S.F.

PROJECTION ROOM

Activities:

Provide audio visual support for the tiered classrooms, seminar room and crime scene lab.

Work area for editing and preparing audio visual instructional material.

Finishes and Furnishing:

Materials should be easily cleaned.
Painted gypsum board walls, sheet vinyl or rubber floor and acoustical tile ceiling.

Remarks:

This room should be directly adjacent to and approximately 30" above the tiered classrooms, seminar room and crime scene lab; also adjacent the Film room and Print room.

Area: 680 S.F.

SEMINAR ROOM

Activities:

Group instruction for 16 students.

Finishing and Furnishings:

Painted gypsum board walls, carpet, acoustical ceiling.

U shaped conferenced table with 16 chairs around the perimeter. Retractable projection screen and greaseboard or chalkboard.

Remarks:

Provide projector window from the projection room.

Area: 450 S.F.

CRIME SCENE LAB

Activities:

Finger print lifting.
Crime scene investigation instruction.

Finishings and Furnishings:

Materials should be acid resistant.
Epoxy floor, painted gypsum board walls, acoustical tile ceiling.

Work surface for 10 students with chemical resistant surfaces, instructors desk, fume hood, approximately 10' of base and wall cabinetry, and projection screen.

Remarks:

Provide projector window from the projection room.

This room must be well ventilated and exhaust air should be vented to the outside.

Area: 450 S.F.

STORAGE

Activities:

Storage of audio visual equipment and film development supplies.

Finishing and Furnishings:

Concrete or durable floor, gypsum board walls, acoustical tile ceiling.

Area: 80 S.F.

FILM ROOM

Activities:

Dark room for development of film.

Finishing and Furnishings:

Painted, water resistant gypsum board walls and ceiling; concrete or vinyl tile floors.

Provide base cabinets with sinks for film developing.

Remarks:

Doors into room should be designed to provide light trap for entry with exposed film.

Area: 200 S.F.

PRINT ROOM

Activities:

Photographic print development and instruction.

Finishing and Furnishings:

Painted water resistant gypsum board walls and ceiling; concrete or vinyl tile floors.

Provide base cabinets with sinks and power for print making.

Remarks:

Doors into room should be designed to provide light traps for entry while development is in progress.

Area: 350 S.F.

LIBRARY

Activities:

Shelving of necessary collections, journals and magazines.
Carrel and lounge area for studying.
Circulation desk.
Reserve checkout of video cassettes of lectures and training aids.

Finishing and Furnishings:

Painted gypsum board walls, carpet floors and acoustical ceiling.

Lounge seating and tables, shelving, circulation desk, study carrels, magazine and newspaper racks.

Remarks:

Library should be centrally located, yet isolated from noisy activity.

Area: 1200 S.F.

TOILETS

Activities:

Mens & Womens toilet facilities located primarily for use during breaks and between classes.

Finishings and Furnishing:

Painted, water resistant gypsum board walls and ceilings; tile floor with drain.

Toilets, urinals, lavatories and accessories of adequate numbers to accommodate the anticipated usage.

Remarks:

Both facilities must be handicapped accessible.

Area: 250 S.F.

TOTAL ASSIGNABLE AREA - CLASSROOMS: 7060 S.F.

TRAINING COMPONENT

MULTIPURPOSE ROOM

Activities:

Physical training for 40 students.
Running laps may require banked corners.
Defense, arrest and nightstick procedures.
Graduation banquets for 200 people catered.
Basketball and volleyball games.

Finishes and Equipment:

Tartan type floor, durable wall and ceiling finishes, provide protected H.I.D. lights.

Basketball nets (retractable).

Area: 5260 (56X94)

Remarks:

Light fixtures should be a minimum of 22' above the finish floor. This area allows room for a high school basketball court and 3 feet on sides plus 5 feet at both ends. Moveable seating is not included in the program but is desirable.

STORAGE

Activities:

Store tables, chairs, 2 or 3 wrestling mats, and misc. equipment, kickbags, volleyball nets, etc.

Finishings and Furnishings:

Durable walls and ceiling; concrete floor.

Area: 400 S.F.

KITCHEN

Activities:

Set up area for caterer during banquets. Provide stove, sink and refrigerator and some storage space.

Finishings and Furnishings:

Painted gypsum board walls and ceiling with vinyl floor.

Remarks:

Provide exhaust system for range hood.

Area: 120 S.F.

WEIGHT ROOM

Activities:

Two 16 station universal systems.

Finishes and Furnishings:

Could be carpet and gypsum board walls with acoustic tile ceiling.

Remarks:

Provide good ventilation.
Provide at least a 9'-6" ceiling height.

Area: 570 S.F.

MEN'S LOCKER ROOM

Activities:

Changing clothes.
Showering.

Finishes and Furnishings:

Water resistant epoxy coated walls, tile floors and painted gypsum board ceilings. Lockers and benches, toilets, showers, urinals and sinks with accessories.

Remarks:

Size is based on 50 lockers.

Area: 600 S.F.

WOMEN'S LOCKER ROOM

Activities:

Same as Men's Locker Room.

Finishings and Furnishings:

Same as Men's Locker Room.

Remarks:

Size is based on 12 lockers.

Area: 320 S.F.

STAFF LOCKER ROOM

Remarks:

Size is based on 15 lockers.

Area: 340 S.F.

PHYSICAL EDUCATION OFFICE

Activities:

Office for training instructor.
Minor first aid.
Supervision of activity areas.

Finishes and Furnishings:

Painted gypsum board walls, carpeted floor and acoustical tile ceiling.
Furnishings, sames as faculty offices.

Area: 130 S.F.

FIRING RANGE

Activities:

Handgun use and safety training.
Firing practice and instruction at ranges from 10' to 75'.
Gun cleaning and maintenance.
Ammunition and weapons storage.
Observation of firing range by students not firing.

Finishes and Furnishings:

Concrete walls, floor and ceiling.

12 firing stations with bullet trap, target track, acoustical baffles, and system lighting.
Range control station.
Work benches for gun cleaning.

Remarks:

A 12' ceiling is required to accommodate the lighting, baffles and target track system.
Provide floor drains for wet cleaning.
This area has massive air exhaust requirements to maintain a positive air movement toward the targets. A heat recovery system is necessary to reduce heat loss from the exhaust air.
This area includes a secure arms storage vault approximately 150 S.F. in size.
The observation area and control area should be directly behind the firing stations, and separated by glass.

Area: 5088 S.F.

TOTAL ASSIGNABLE AREA - TRAINING: 12,828 S.F.

DORMITORY COMPONENT

DOUBLE OCCUPANCY ROOMS

Activities:

Sleeping, grooming, studying and relaxing for students and guest lecturers.

Finishes and Furnishings:

Bed/Study Room: Painted gypsum board walls and ceilings, carpeted floors.

2 Beds, 2 desks with chairs, 1 dresser; a night stand and a minimum of 6 lineal feet of closet with rod and shelf.

Bath: Painted water resistant gypsum board walls and ceiling with tile floor.

Shower, toilet lavatory, 2 towel bars, medicine cabinet/mirror and toilet paper holder.

Remarks:

At least 5% of the rooms must meet the requirements of the Uniform Federal Accessibility Standards.
Provide adequate acoustical separation from other rooms and corridors.

Provide natural light and ventilation to all rooms.

Area: 50 rooms @ 300 S.F. each
TOTAL: 15,000 S.F.

TV ROOM

Activities:

Watching TV in off hours.

Finishes and Furnishings:

Painted gypsum board walls, carpet and acoustical tile ceiling.

Lounge chairs, tables and wall mounted T.V.

Area: 570 S.F.

GAME ROOM

Activities:

Various leisure activities.

Finishes and Furnishings:

Painted gypsum board, walls, carpet and acoustical tile ceiling.

Tables and chairs, possible ping-pong or pool table.

Area: 570 S.F.

TELEPHONE ALCOVE

Finishes and Furnishings:

Painted gypsum board walls, carpet and acoustical tile ceiling.

4 desks with phone hook-ups.

Area: 2 @ 80 S.F. each
TOTAL: 160 S.F.

RESIDENT STORAGE

Activity:

Storage of miscellaneous items by dormitory residents.

Finishes and Furnishings:

Painted gypsum board walls and ceiling, concrete or vinyl tile floors, modular storage bins.

Area: 100 S.F.

TYPING ROOMS

Activities:

Student typing and data processor use.

Finishes and Furnishings:

Sound absorbing wall material, carpeted floors and acoustical tile ceilings. Carrels for typing.

Area: 150 S.F.

STUDENT LAUNDRY

Activities:

Washing, drying and ironing of resident laundry.

Finishes and Furnishings:

Painted, water resistant gypsum board walls and ceiling with concrete or vinyl tile floors.

2 washers, 2 dryers, 1 ironing board and a folding counter.

Area: 200 S.F.

HOUSEKEEPING

Activities:

Break room for housekeeping staff storage of equipment and supplies.

Staff toilet room.

Finishes and Furnishings:

Painted gypsum board walls, vinyl floor and acoustical tile ceiling.

Table with 6 chairs, janitor sink, 8 lockers and 6 lineal feet of counter with sink and toilet.

Remarks:

This area may be divided into several locations in the dormitory area.

Area: 350 S.F.

LINEN STORAGE & DISTRIBUTION

Activities:

Sorting of soiled linen
Pick up and delivery of linen
Storage & distribution of clean linen

Finishes and Furnishings:

Painted gypsum board walls and ceiling, concrete or vinyl tile floor.

Provide shelving for folded linen.

Remarks:

Provide counter and window for distribution of laundry.

Area: 300 S.F.

TOTAL ASSIGNABLE DORMITORY AREA 17,400 S.F.

SUPPORT COMPONENT

4 BAY GARAGE

Activities:

Store, wash, and very minor repair of vehicles.

Finishes and Furnishings:

Painted concrete block walls, concrete floor and gypsum board ceiling.

Area: 800 S.F.

Remarks:

Should be heated and have floor drain and water supply.

RECEIVING/LOADING DOCK:

Activities:

Garbage dump area.
Laundry receiving.
Possible food receiving.
Hydraulic platform lift to accomodate various truck heights and heavy supplies such as paper and ammunition.

Finishes and Furnishings:

Painted concrete block walls, concrete floor and painted gypsum board ceiling.

Area: 180 S.F.

BUNKER

Activities:

Storage for 150-200 cases of ammunition.
Located adjacent loading dock.

Construction:

Concrete structure, earth bermed with explosion proof vault door.

Area: 100 S.F.

GENERATOR

Activites:

Provide power for emergency lights, exit signs, phones, fire alarm.

Area: 200 S.F.

GENERAL BUILDING STORAGE

Activity:

Storage of just about anything.

Finishes and Furnishings:

Painted gypsum board walls and ceiling with a concrete floor.

Area: 400 S.F.

TOTAL ASSIGNABLE SUPPORT AREA 1,680 S.F.

NOTE:

The following functions related to the support component do not have specific assignable areas but are included instead as part of the gross building area. They are listed in order to identify some of the larger "unassignable" program requirements for the facility.

MECHANICAL ROOM(S)

Function:

Provide electrical distribution for complex.
Provide HVAC and plumbing for building.
Provide heat recovery for exhaust from firing range.

Area: As required (part of gross building area)

JANITOR CLOSETS

Activities:

Storage of supplies.

Finishes & Furnishings:

Painted gypsum board walls and ceilings with concrete or vinyl tile floors.
Provide janitor sinks, racks and shelves as required.

Remarks:

Locate conveniently throughout building.

Area: As required (part of gross building area).

CORRIDORS

Activities:

General circulation.

Finishes:

Vinyl wall covering, acoustical tile ceilings and carpeted floor, except in training and support areas - floors may be vinyl tile.

Area: As required (part of gross building area).

KITCHEN/DINING COMPONENT

The program is based on a cafeteria layout to serve 100 trainees - 3 times a day. Because of the possibility of a staggered lunch period, it is not anticipated that the increased staff load at lunch will impact the program. The food preparation, cleaning and dining areas must conform to State Health Department regulations.

This program assumes the previously planned loading dock/shipping receiving area will be used to receive supplies and dispose of garbage from the kitchen.

DINING AREA

Activity:

Primary used for day-to-day eating by trainees, but may also be used as a large auditorium, movie theatre and banquet room during graduation.

Finishes and Furnishings:

Floor may be vinyl tile or carpet, vinyl wall covering and acoustical ceiling. Materials should be sound absorptive to reduce noise levels. Circular tables are more conducive to conversation and less institutional.

Remarks:

Dining requires a 1 Hr. occupancy separation from the kitchen.

Area: 100 people @ 15 Sq. Ft. per person plus 400 Sq. Ft. for circulation and lines.

TOTAL: 1900 S.F.

FOOD SERVING AREA

Activity:

Cafeteria style selection of food.

Finishes & Furnishings:

Quarry tile floor, tile or durable, smooth moisture resistant walls, painted water resistant gypsum board ceiling.
Carts and Equipment should be stainless steel.

Area: 400 S.F. (length approximately 32')

FOOD PREPARATION AREA

Finishes and Equipment:

Refer to food serving area.

Remarks:

Electrical distribution and capacities should be adequate for specialized equipment.

Area: 750 S.F.

DISHWASHING/POT WASHING

Finishes & Equipment:

Refer to food serving area
Floor drain is required

Area: 300 S.F.

KITCHEN OFFICE

Activities:

Menu planning, employee supervision, food ordering and schedule maintenance

Finishes & Furnishings:

Carpet, painted gypsum board walls and suspended acoustical ceiling

Desk with chair plus 1 or 2 extra chairs, time clock

Area: 120 S.F.

DRY FOOD STORAGE

Activity:

Provide storage for canned goods, cereals, dry foods, and seldom used equipment.

Finishes & Equipment:

Refer to food serving area

Area: 135 S.F.

WALK-IN REFRIGERATED FOOD STORAGE

Remarks:

Size is based on the assumption that refrigerated and frozen food deliveries will be made weekly with a 2 day surplus.

Area: 135 S.F.

WALK-IN FROZEN FOOD STORAGE

Area: 80 S.F.

KITCHEN STAFF TOILET

Finishes:

Vinyl Tile, gypsum board, and painted walls and ceiling.

Remarks:

The room should be handicapped accessible.

Area: 50 S.F.

JANITOR CLOSET

Finishes & Equipment:

Painted gypsum board walls and ceiling with vinyl tile floor.

Area: 50 S.F.

TOTAL KITCHEN/DINING COMPONENT AREA 3920 Sq. Ft.

MONTANA LAW ENFORCEMENT ACADEMY

Architectural Program Summary

Assignable Area

The law enforcement facility is programmatically separated into six components: Administrative, educational, training, dormitory, support areas, and kitchen/dining. The square foot areas identified are net building areas except for the kitchen/dining component where gross building areas are listed.

	Areas
ADMINISTRATION	
Lobby and Entry	1,200 sq. ft.
Receptionist	165
Administrative Offices 3 @ 220 sq. ft.	660
Faculty Offices 8 @ 130 sq. ft.	1,040
Central Secretarial Area	500
Duplicating	900
Staff Conference Room	250
Staff Lounge	170
Staff Toilets	220
TOTAL ASSIGNABLE ADMINISTRATION AREA	5,105 sq. ft.
EDUCATION	
40-Student Tiered Classrooms 2 @ 950 sq. ft.	1,900 sq. ft.
64-Student Expandable Classroom w/A.V.	1,120
20-Student Classroom	380
Projection Room	680
Seminar Room	450
Crime Scene Lab	450
Storage	80
Film Room	200
Print Room	350
Library	1,200
Toilets	250
TOTAL ASSIGNABLE EDUCATION AREA	7,060 sq. ft.

TRAINING	Areas
Multipurpose Gymnasium	5,260 sq.ft.
Equipment Storage	400
Kitchen	120
Weight Room	570
Mens' Locker Room	600
Womens' Locker Room	320
Staff Locker Room	340
Physical Education Office	130
Firing Range	5,088
TOTAL ASSIGNABLE TRAINING AREA	12,828 sq. ft.

DORMITORY

Double Occupancy Rooms 50 @ 300 sq. ft.	15,000 sq. ft.
TV Room	570
Game Room	570
Telephone Alcoves 2 @ 80 sq. ft.	160
Resident Storage	100
Typing Room	150
Student Laundry	200
Housekeeping	350
Linen Storage & Distribution	300
TOTAL ASSIGNABLE DORMITORY AREA	17,400 sq. ft.

SUPPORT AREAS

4-Bay Garage	800 sq. ft.
Receiving/Loading Dock	180
Ammunition Bunker	100
Emergency Generator	200
General Storage	400
TOTAL ASSIGNABLE SUPPORT AREA	1,680 sq. ft.

KITCHEN/DINING	Areas
Dining	1,900 sq. ft.
Food Serving	400
Food Preparation	750
Dishwashing/Pot Washing	300
Kitchen Office	120
Dry Food Storage	135
Walk-in Refrigerated Food Storage	135
Walk-in Frozen Food Storage	80
Kitchen Staff Toilet	50
Janitor Closet	50
TOTAL KITCHEN/DINING AREA (GROSS)	3,920 sq. ft.

SITE DEVELOPMENT

Parking - 15 Visitor Spaces
20 Staff Spaces
65 Student Spaces
Loading and Service Area

Landscaping for picnics, outdoor recreation, and general site development.

MONTANA LAW ENFORCEMENT ACADEMY

Architectural Program Summary

Total Area
and
Construction Cost Estimate

The estimated assignable areas are increased by appropriate Gross Building Factors (GBF) to include walls, circulation and mechanical/electrical equipment. The square foot costs represent reasonable prices based on other similar projects.

		Areas
ADMINISTRATION		
Assignable Area		5,105 sq. ft.
30% GBF		1,530
Total Area		6,635 sq. ft.
Cost @ $54.00/sq. ft.	$358,290	
EDUCATION		
Assignable Area		7,060 sq. ft.
30% GBF		2,118
Total Area		9,178 sq. ft.
Cost @ $72.00/sq. ft.	$660,816	
TRAINING		
Assignable Area		12,828 sq. ft.
20% GBF		2,565
Total Area		15,393 sq. ft.
Cost @ $70.50/sq. ft.	$1,085,248	

DORMITORY

Assignable Area		17,400 sq. ft.
30% GBF		5,220
Total Area		22,620 sq. ft.
Cost @ $61.50/sq. ft.	$1,391,130	

SUPPORT AREAS

Assignable Area		1,680 sq. ft.
24% GBF		400
Total Area		2,080 sq. ft.
Cost @ $40.00/sq. ft.	$ 83,200	

KITCHEN/DINING

(Program based on gross areas)

Total Area		3,920 sq. ft.
Cost @ $77.85/sq. ft.	$305,172	

MONTANA LAW ENFORCEMENT ACADEMY GROSS BUILDING AREA	59,826 sq. ft.

NOTE: The estimated costs for the various components are "construction costs" based upon 1985 cost indexes. They are not "project costs". In other words, they do not include contingencies, consultant fees, or moveable equipment. A "project cost" would also include site improvements such as parking, drives, sidewalks and landscaping.

MONTANA LAW ENFORCEMENT ACADEMY

12 Station Indoor Firing Range
Cost Estimate

Building 6105 Sq.Ft. @ 59.25/SF	361,721
Equipment	108,000
CONSTRUCTION COST	469,721
10% Contingencies	46,972
Architect Fees 8.5%	43,918
PROJECT COST (Based upon 1985 cost index)	560,611

APPENDIX B

ANALYSIS OF LEASE AND PURCHASE OPTION

OFFICE OF THE LEGISLATIVE AUDITOR

ANALYSIS OF LEASE AND PURCHASE OPTION
MONTANA LAW ENFORCEMENT ACADEMY

February 1987

1. Q. What would be the purchase price to acquire the Montana Law Enforcement Academy facilities during the 1987 Legislative Session?

Background : Purchase Costs

The purchase option agreement establishes a price of $442,500 for the buildings and furnishings. Upon the exercise of the option, the lessor will determine the amount of principal paid towards his loan and the difference between the principal paid and the purchase price will be the cost to the state.

In addition, the state would have to pay moving costs plus the cost to restore the site to its original condition if the buildings were not used at their present site. Restoration and moving costs were estimated by the Architecture and Engineering Division of the Department of Administration to be $5,000 per building. Restoration costs included removing the foundations, capping the utility mains and grading the surface.

A. The lessor's loan was for $361,754.38 at 12 percent interest with 20 quarterly installments of $15,650 with a balloon payment of $238,846.15 at the end of the five year note. However, the lessor was unable to make timely payments on the note and refinanced the principal balance when due, at $296,303.24 on a variable rate loan for an additional five years. The present interest rate is 12.5 percent and the agreement calls for a balloon payment on December 15, 1988, in the amount of $93,842.92. The balance owing at the First Security Bank in Bozeman would be $220,744 on March 31, 1987. Thus, the purchase price would be $301,490 on that date (442,500 - [361,754-220,744]).

2. Q. Based on the lessor's schedule of payments, is it cost beneficial to exercise the option to purchase the existing facilities that house the Academy?

Background

We compared the present value costs of purchasing versus the present value cost of leasing the existing MLEA buildings. Our comparison included purchase costs, lease payments, operating costs and maintenance. Our analysis was based on the following assumptions:

1) The facilities will be used to house the MLEA or used by the state for an alternative purpose, or be sold;

2) The residual value of the facility will not be less than $40,000 per building or $320,000 total. During a previous analysis we solicited estimates from three sources: 1) the lessor, 2) the state appraiser from the Department of Administration, and 3) an official from the Property Assessment Division of the Department of Revenue. The value used was the lowest estimate. Subsequently, we confirmed this value with the lessor and the state appraiser.

3) The cost of capital to the state is 8.25 percent, based on the Short-Term Investment Pool Rate earned on state funds;

4) The cost to move the buildings and restore the site to its original condition would be $5,000 per building. This estimate was made by the Architecture and Engineering Division of the Department of Administration.

5) Our analysis used the operating expenses estimated by the Department of Justice for the 1989 Biennium; and

6) All costs are paid at the beginning of the period.

A. Yes, assuming the buildings would be purchased on March 31,1987. Our estimates indicate if the Academy remains in the same facility until the end of the lease it would be more economical to purchase the buildings. A purchase would result in a present value savings in today's dollars of approximately $61,752 if purchased on March 31, 1987 (see Appendix A).

All lease payments made previous to the purchase date are considered to be sunk costs and, therefore, they are not used in the decision.

In addition, we compared the actual cash outlay necessary to meet the demands of the lease to its conclusion with the cash outlay plus the value of the asset if purchased. Our estimates indicate the actual cash outlay for the lease would be $222,672 if the lease payments were made until July 1988. The cost to purchase the buildings would include the purchase price as of March 31,1987, the cost of restoring the site to its original condition, operating costs, plus the value of the asset at the end of the lease period or $117,740. The values are shown in the table below.(Also, see Appendix A.)

Cash Outlay To Purchase
Plus Value Of The Asset
March,1987

Purchase Price March 31,1987	$301,490
Cost to move and Restoring Site	40,000
Operating Costs	
April 1,1987 - December 31, 1988	96,250
Less Value of Asset	320,000
Total	$117,740

Therefore, the advantage in actual cash outlay plus the value of the asset to buy is $104,932 ($222,672 - $117,740).

APPENDIX A

MONTANA LAW ENFORCEMENT ACADEMY

PRESENT VALUE COST AND CASH OUTLAY OF LEASE FROM MARCH 31, 1987

Quarterly payments	Apr 87	Jul 87	Oct 87	Jan 88	Apr 88	Jul 88
(1) Lease payments	$37,112	$37,112	$37,112	$37,112	$37,112	$37,112
(2) Cash Outlay Sum of #1	$222,672					
(3) Present value of lease pymts	$37,112	36,363	35,627	34,907	34,202	33,511
(4) Present value cost of lease (Sum of #3)	$211,721					

PRESENT VALUE COST AND CASH OUTLAY PLUS ASSET OF PURCHASE ON MARCH 31, 1987

Calendar Years	Apr-Dec 1987	1988
(1) Purchase Price March 31, 1987	$301,490	
(2) Cost of restoring land to previous condition	40,000	
(3) Operating Costs	41,250	55,000
(4) Residual value, end of 1988		(320,000)
(5) Cash outlay plus assets (#1)+(#2)+(#3)-(#4)	117,740	
(6) Sum of present value of operating costs (#3)	78,443	
(7) Present Value cost (#1)+(#2)+(#6)	419,933	
(8) Present value of residual (320,000) X discount X .9343	(269,964)	
(9) Net present value cost of purchase (#7) + (#8)	$149,969	

Montana Law Enforcement Academy
(Revised April 1987)

PRESENT VALUE COST AND CASH OUTLAY PLUS ASSET OF PURCHASE ON MARCH 31, 1987

	Calendar Years	Apr-Dec. 1987	1988
(1)	Purchase Price March 31, 1987	$295,033	
(2)	Cost of restoring land to previous condition	40,000	
(3)	Operating costs	41,250	$ 55,000
(4)	Residual value, end of 1988		(320,000)
(5)	Cash outlay plus assets (#1) + (#2) + (#3) - (#4)	111,283	
(6)	Sum of present value of operating costs (# 3)	78,443	
(7)	Present Value cost (#1) + (#2) + (#6)	413,476	
(8)	Present value of residual ($320,000) x discount x .9343	(269,964)	
(9)	Net present value cost of purchase (#7) + (#8)	143,512	
(10)	Lease Cost	211,722	
	Cost to purchase	143,512	
	Present value cost advantage to buy	$ 68,210	

7094b/C:JEANNE\WP:jj

APPENDIX C

GENERAL COST ANALYSIS FOR MONTANA LAW ENFORCEMENT ACADEMY PROPOSALS

GENERAL COST ANALYSIS FOR
MONTANA LAW ENFORCEMENT ACADEMY PROPOSALS

October 15, 1986

SITE:	DILLON (WMC)	GREAT FALLS (CGF)	LEWISTOWN
TYPE:	LEASE/CONSTRUCTION	LEASE/CONSTRUCTION	PURCHASE
COSTS:			
New Construction -	$537,600	$ 566,687	$ -0-
Renovation -	292,142	-0-	1,720,174
SUBTOTAL:	$829,742	$ 566,687	$1,720,174
A&E Estimated Changes	**	**	$ 212,303
Contingencies (10%) -	$ 82,974	$ 56,669	$ 286,247#
Prof Fees (8.5%) -	80,043	$ 48,168	$ 158,310
SUBTOTAL:	$163,017	$ 104,837	$ 444,557
Purchase Existing Facilities -	-0-	-0-	$ 175,001***
Purchase Furnishings -	-0-	$ 31,830	$ 0 ****
TOTAL:	$992,759	$ 703,354	$2,552,035
Annual Const/Reno Costs	$161,078 (Included within lease) (10 years @ 10%)	$ 68,994 (20 years @ 7.5%)	$ 259,929 (20 years @ 8%)
Annual Operating Costs (Site dependent)* -	Included within lease	$ 102,558	$ 268,369
Annual Operating Costs (Non-Site dependent) -	$124,999	$ 124,999	$ 124,999
Annual Rent -	$266,000	$ 287,000	-0-
FIRST YEAR COSTS :	$390,999 NPV: $5,825,375	$ 583,551 NPV: $8,253,613	$ 653,297 NPV: $11,269,879
TEN YEAR COSTS :	$ 4,694,376	$ 6,867,766	$ 7,322,108
TWENTY YEAR COSTS:	$11,643,199	$16,702,399	$16,912,323
FORTY YEAR COSTS :	$37,154,882	$50,275,924	$42,578,577
APPROXIMATE SALVAGE VALUE AFTER 40 YEARS:	----------	$ 113,337	$ 229,517

*Does not include food or transportation costs

**Costs unable to be determined from proposals

***Cost of Fergus High has been reduced to $1 based on 24 Sept 86 meeting

****Cost of furnishings for Calvert Hotel not included

#Includes Security Sales Costs

LAW ENFORCEMENT ACADEMY PROPOSALS
OPERATING EXPENSE SUMMARIES

OPERATING EXPENSE:	DILLON (WMC)	GREAT FALLS (CGF)	LEWISTOWN (FERGUS HIGH/CALVERT HOTEL
UTILITIES	*	****	$ 52,693
MAINTENANCE AND REPAIR	*	$ 94,558	$141,922
JANITORIAL	*	****	****
PAPER PRODUCTS	*	****	****
LAUNDRY	*	$ 8,000**	$ 3,600
FURNITURE	*	#	***
LANDSCAPE/GROUNDS MAINTENANCE	*	****	$ 150
WATER/SEWER	*	****	$ 1,908
GARBAGE SERVICE	*	****	$ 1,300
FOOD SERVICE	$9.60/Day	$10.75/Day	$8.74 to $9.85/Day ##
TRANSPORTATION	N/A	$230/Trip	N/A
OPERATING EXPENSES (Site Dependent)	$266,000 Annual Lease Payment (Excludes Food Service Costs)	$102,558 (Excludes Lease and Const/Renn Costs, Food, and Transportation)	$268,369 (Excludes Purchase and Renn Costs and Food Service)
FY 1986 EXPENSES Non-Site Dependent)	$124,999	$124,999	$124,999
TOTAL OPERATING EXPENSES	$390,999	$227,557	$393,368

*   Included in Lease
**   Assumes 35 sets of sheets/week at $.50/lb with an approximate weight of 3 lbs each
*** Included in purchase price
****Included in Lease
N/A - Not Applicable

Included in Const/Renn Costs
##Includes:
$66,796 (Labor)
$6.00/Day (Food)
Range of 260 to 365 Days

APPENDIX D

RECOMMENDED LEGISLATION

_________ BILL NO. _____

INTRODUCED BY ____________________________________

BY REQUEST OF THE JOINT INTERIM SUBCOMMITTEE
ON THE LAW ENFORCEMENT ACADEMY

A BILL FOR AN ACT ENTITLED: "AN ACT TO LOCATE THE MONTANA LAW ENFORCEMENT ACADEMY AT WESTERN MONTANA COLLEGE IN DILLON; TO AUTHORIZE AND CONSENT TO A CAPITAL BUILDING PROJECT AT WESTERN MONTANA COLLEGE FOR THE CONSTRUCTION, RENOVATION, EQUIPPING, AND FURNISHING OF FACILITIES TO SERVE THE ACADEMY; TO REQUIRE LEASE OF COLLEGE FACILITIES FOR USE BY THE MONTANA LAW ENFORCEMENT ACADEMY; TO APPROPRIATE MONEY; AMENDING SECTIONS 44-10-102, 44-10-103, AND 44-10-202, MCA; AND PROVIDING EFFECTIVE DATES."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 44-10-102, MCA, is amended to read:

"44-10-102. ~~Purpose~~ Declaration of purpose and intent. (1) The purpose of this chapter shall be to establish a Montana law enforcement academy to provide programs for the education and training of Montana law enforcement officers ~~with-a-means-of-securing-additional-training-in-the-field-of law-enforcement~~.

(2) It is the intent of the legislature in establishing the academy to:

(a) upgrade law enforcement to a professional status;

(b) promote and develop improved law enforcement personnel and procedures; and

(c) maximize training opportunities for law enforcement officers in this state."

Section 2. Section 44-10-103, MCA, is amended to read:

"44-10-103. Establishment of academy. There is hereby established a Montana law enforcement academy located at western Montana college in Dillon, Montana."

Section 3. Section 44-10-202, MCA, is amended to read:

"44-10-202. Powers and duties of department. The department of justice shall have the power and it shall be its duty to:

(1) contract or otherwise cooperate with western Montana college for the procurement of facilities and services for the benefit of the academy;

(2) consult and cooperate with western Montana college and the Montana university system for the development of courses or subjects for law enforcement officers, such as in the fields of criminal justice, police science, and police administration;

(3) coordinate training at the academy to meet the needs of the Montana highway patrol and other agencies that use the academy as the primary training facility for law enforcement officers;

(4) provide regional training programs and other specialized training programs in cooperation with state and local law enforcement agencies;

~~(1)~~(5) establish qualifications for admission to the academy;

~~(2)~~(6) select from among the qualified applicants those officers who are to attend the academy each year;

~~(3)~~(7) determine the curriculum and methods of training for the officers attending the academy;

~~(4)~~(8) select and hire such staff as it deems necessary to implement this chapter;

~~(5)~~(9) establish rules for the conduct of the officers at the academy;

~~(6)~~(10) award appropriate certificates to the officers who successfully complete their training;

~~(7)~~(11) provide for the keeping of permanent records of enrollment, attendance, and graduation and such other records as the department may deem necessary;

~~(8)~~(12) make a yearly report in writing of the activities of the academy. Copies of this report shall be sent to the governor, attorney general, and secretary of state.

~~(9)~~(13) do all other things necessary and desirable for the establishment and operation of the academy not inconsistent with this chapter or the constitution and statutes of the state of Montana;

~~(10)~~(14) accept and expend grants from federal, state, county, and city governments or private persons, associations, or corporations."

NEW SECTION. Section 4. Construction of law enforcement academy at western Montana college. (1) Pursuant to the provisions of 18-2-102, the legislature hereby authorizes and consents to a capital construction project at western Montana college consisting of the construction, renovation, equipping, and furnishing of buildings to serve as the Montana law enforcement academy. Such buildings must provide for:

(a) administrative offices;

(b) dormitory rooms;

(c) student classrooms;

(d) a crime scene laboratory;

(e) a film and print room;

(f) an indoor firing range;

(g) an indoor physical training area; and

(h) other facilities to meet the needs of the law enforcement academy.

(2) The legislature further consents to the financing of the project by the board of regents from:

(a) available gifts and grants;

(b) fees, earnings, and lease payments for use of the facilities; and

(c) the issuance of bonds by the board of regents in accordance with 20-25-402 and [section 5].

NEW SECTION. Section 5. Bonds for academy construction project -- limits. The board of regents is authorized to issue and sell bonds in a principal amount not to exceed $993,000 for the purpose of financing the costs of construction, renovation, equipping, and furnishing of buildings for a law enforcement academy at western Montana college.

NEW SECTION. Section 6. Plans and specifications for project -- supervision by the department of administration. (1) Subject to the approval of the department of administration, the department of justice and western Montana college shall cause plans, working drawings, and specifications to be prepared for the planning, construction, renovation, equipping, and furnishing of buildings to serve the Montana law enforcement academy.

(2) The department of administration shall supervise and approve all planning and work in connection with the construction of buildings for the Montana law enforcement academy, as provided in 18-2-103.

NEW SECTION. Section 7. Lease agreement. The department of justice shall enter into a lease agreement with western Montana college for the purpose of obtaining

facilities and services for the Montana law enforcement academy. The agreement must be made on such terms and conditions as are necessary to carry out the provisions of [this act].

NEW SECTION. Section 8. Appropriation. There is appropriated to the department of justice from the general fund $266,000 for the fiscal year ending June 30, 1989, for the purpose of leasing facilities at western Montana college to serve the Montana law enforcement academy.

NEW SECTION. Section 9. Extension of authority. Any existing authority of the department of administration and the department of justice to make rules on the subject of the provisions of this act is extended to the provisions of this act.

NEW SECTION. Section 10. Codification instruction. Sections 4 through 7 are intended to be codified as an integral part of Title 44, chapter 10, and the provisions of Title 44, chapter 10, apply to sections 4 through 7.

NEW SECTION. Section 11. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

NEW SECTION. Section 12. Effective dates. (1)

__________ BILL NO. ______

INTRODUCED BY ____

BY REQUEST OF THE INTERIM SUBCOMMITTEE ON
THE LAW ENFORCEMENT ACADEMY

A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE MONEY TO EXERCISE THE PURCHASE OPTION FOR FACILITIES IN BOZEMAN CURRENTLY HOUSING THE MONTANA LAW ENFORCEMENT ACADEMY; TO PROVIDE FOR DISPOSITION OF THE FACILITIES SHOULD LEGISLATION BE ENACTED TO RELOCATE THE ACADEMY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Appropriation for purchase of academy facilities. (1) The following amounts are appropriated to the department of administration for the purchase of facilities in Bozeman that currently house the Montana law enforcement academy:

Fund	Amount
Capital Projects Fund	$127,033
Motor Vehicle Account of the State Special Revenue Fund	168,000
Total	$295,033

(2) The purchase authorized under this act must be conducted in accordance with the purchase option agreement

entered into on July 27, 1978, between Donald and Jo Ann Cape and the state of Montana.

Section 2. Sale of facilities authorized. If ____ Bill No. ___ [LC 91, LC 251, LC 279, or LC 284] is passed and approved, the department of administration is authorized to sell or otherwise dispose of the facilities purchased under this act. Such sale may not occur prior to July 1, 1988, and the proceeds from the sale must be deposited in the general fund.

Section 3. Effective date. This act is effective on passage and approval.

-End-

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